

PROMOTIONS IN THE ARMY.

Corps of Engineers.

Lieut. Col. William T. Russell, Corps of Engineers, to be colonel from February 28, 1908, vice Willard, retired from active service.

Maj. Lansing H. Beach, Corps of Engineers, to be lieutenant-colonel from February 28, 1908, vice Russell, promoted.

Capt. James P. Jervey, Corps of Engineers, to be major from February 28, 1908, vice Beach, promoted.

First Lieut. John H. Poole, Corps of Engineers, to be captain from February 28, 1908, vice Jervey, promoted.

Second Lieut. Robert S. Thomas, Corps of Engineers, to be first lieutenant from February 28, 1908, vice Poole, promoted.

Cavalry Arm.

Second Lieut. Howard C. Tatum, Seventh Cavalry, to be first lieutenant from February 25, 1908, vice Jennings, Seventh Cavalry, resigned.

Ordnance Department.

Lieut. Col. Ira MacNutt, Ordnance Department, to be colonel from February 29, 1908, vice Russell, retired from active service.

Maj. Ormond M. Lissak, Ordnance Department, to be lieutenant-colonel from February 29, 1908, vice MacNutt, promoted.

Capt. David M. King, Ordnance Department, to be major from February 29, 1908, vice Lissak, promoted.

Field Artillery.

Lieut. Col. Edward T. Brown, First Field Artillery, to be colonel from February 25, 1908, vice Potts, Fifth Field Artillery, appointed brigadier-general.

Maj. David J. Rumbough, Third Field Artillery, to be lieutenant-colonel from February 25, 1908, vice Brown, First Field Artillery, promoted.

Capt. William Lassiter, Sixth Field Artillery, to be major from February 25, 1908, vice Rumbough, Third Field Artillery, promoted.

PROMOTIONS IN THE NAVY.

Lieut. (Junior Grade) Frank Rorschach to be a lieutenant in the Navy from the 30th day of July, 1907, to fill a vacancy existing in that grade on that date.

P. A. Engineer Henry E. Rhoades, who was confirmed by the Senate on January 23, 1907, for advancement from the grade of assistant engineer, with the rank of lieutenant (junior grade), to the grade of passed assistant engineer, with the rank of lieutenant (junior grade), in accordance with the provisions of an act of Congress approved June 29, 1906, to be a passed assistant engineer, with the rank of lieutenant, on the retired list, from the date of his advancement, in accordance with an opinion of the Attorney-General, dated January 13, 1908.

Asaph Hall, a citizen of Michigan, to be a professor of mathematics in the Navy from the 26th day of February, 1908, to fill a vacancy existing in that grade on that date.

WITHDRAWALS.

Executive nominations withdrawn from the Senate March 2, 1908.

Second Lieut. Harry S. Adams, Twenty-third Infantry, for promotion to the grade of first lieutenant of infantry in the Army of the United States, with rank from November 8, 1907, which was submitted to the Senate February 21, 1908, his nomination for such promotion having been previously submitted to the Senate on January 9, 1908, and confirmed by that body on January 27, 1908.

Grosvenor A. Porter, of Oklahoma, to be United States marshal for the eastern district of Oklahoma.

Benjamin F. Niesz, to be postmaster at Steamboat Springs, in the State of Colorado.

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 2, 1908.

ASSISTANT APPRAISER OF MERCHANDISE.

Samuel W. George, of Massachusetts, to be assistant appraiser of merchandise in the district of Boston and Charlestown, in the State of Massachusetts.

POSTMASTERS.
CALIFORNIA.

Charles S. Graham to be postmaster at Pleasanton, Alameda County, Cal.

KANSAS.

Sheridan Crumrine to be postmaster at Longton, Elk County, Kans.

LOUISIANA.

John T. Charnley to be postmaster at Alexandria, Rapides Parish, La.

NORTH CAROLINA.

Roy C. Flanagan to be postmaster at Greenville, Pitt County, N. C.

WASHINGTON.

William M. Clemenson to be postmaster at Clarkston, Asotin County, Wash.

Francis M. Clow to be postmaster at St. John, Whitman County, Wash.

William O. Gregory to be postmaster at Burlington, Skagit County, Wash.

James Lane to be postmaster at Roslyn, Kittitas County, Wash., in place of James Lane.

Tilton S. Phillips to be postmaster at Mabton, Yakima County, Wash.

WYOMING.

Arnold O. Heyer to be postmaster at Shoshoni, Fremont County, Wyo.

HOUSE OF REPRESENTATIVES.

MONDAY, March 2, 1908.

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of the proceedings of Saturday, February 29, was read and approved.

COMPENSATION OF THE PHILIPPINE COMMISSIONERS.

The SPEAKER. The Chair desires to lay before the House a letter from the Comptroller of the Treasury, touching the pay of the Commissioners from the Philippines, if there is no objection. The Chair hears none, and the Clerk will read the communication.

The Clerk read as follows:

TREASURY DEPARTMENT,
Washington, March 2, 1908.

Hon. JOSEPH G. CANNON,
Speaker of the House of Representatives.

SIR: I have received your letter of the 28th instant in reference to the compensation of the Resident Commissioners from the Philippine Islands, elected by the Philippine legislature November 26, 1907. You ask for my opinion upon the following questions:

1. Have they been paid any sums under section 8 of the act of July 1, 1902 (32 Stat., 694) from the Treasury of the United States?

2. When does their compensation begin under the terms of the joint resolution of Congress approved February 24, 1908?

As to the first question I am informed that no payment has been made to these Commissioners by the statement of an account in the office of the Auditor for the State and other Departments.

As to the second question, the act of July 1, 1902 (32 Stat., 694), provides in section 7 for a Philippine legislature consisting of the Philippine Commission and the Philippine assembly, the members of the latter branch to be elected. In said section it is also provided that—

"The legislature shall hold annual sessions, commencing on the first Monday of February in each year and continuing not exceeding ninety days thereafter (Sundays and holidays not included): *Provided*, That the first meeting of the legislature shall be held upon the call of the governor within ninety days after the first election."

Section 8 of the same act provides:

"That at the same time with the first meeting of the Philippine legislature, and biennially thereafter, there shall be chosen by said legislature, each house voting separately, two Resident Commissioners to the United States, who shall be entitled to an official recognition as such by all Departments upon presentation to the President of a certificate of election by the civil governor of said islands, and each of whom shall be entitled to a salary payable monthly by the United States at the rate of \$5,000 per annum, and \$2,000 additional to cover all expenses: *Provided*, That no person shall be eligible to such election who is not a qualified elector of said islands, owing allegiance to the United States, and who is not 30 years of age."

The joint resolution of Congress approved February 24, 1908, is as follows:

"That the Sergeant-at-Arms of the House of Representatives is authorized to pay to each of the two Resident Commissioners from the Philippine Islands, out of the appropriation made for the current fiscal year for compensation of the Members of the House of Representatives, the same rate of compensation as is authorized and being paid to the Resident Commissioner from Porto Rico, together with \$2,000 each, as authorized by law, in lieu of mileage."

The compensation appropriated and being paid to the Resident Commissioner from Porto Rico is at the rate of \$7,500 per annum as fixed by section 4 of the act of February 26, 1907 (34 Stat., 993).

When the compensation of the Commissioners from the Philippine Islands begins under the law is a question of serious doubt. It is to be noticed that the law is similar to that under which the Commissioner from Porto Rico is elected (sec. 39, act of April 12, 1900; 31 Stat., 56). The latter was first elected November 6, 1900; his certificate of election was dated November 16, 1900, and he took the oath of office in Porto Rico on November 17, 1900. The Treasury Department of the United States paid him salary beginning on the date he took the oath. The law provided for his election, but did not fix the time when his term of office began. Subsequently, by section 3 of the act of July 1, 1902 (32 Stat., 732), it was provided that the term of office of the Commissioner should commence on the 4th of March next succeeding the date of his election.

The Philippine act is in the same language as to term of office, amount of salary, etc., as the earlier act relating to Porto Rico.

Although the matter is by no means clear, I am of the opinion that it was intended by the joint resolution of February 24, 1908, to pay the resident Commissioners from the Philippine Islands at the rate of \$7,500 from the date of their certificates of election.

When their terms will expire is a question not now to be decided, but no doubt Congress will, as in the case of the Commissioner from Porto

Rico (act of July 1, 1902, 32 Stats., 732), amend the Philippine act to fix the term of the Commissioners, especially in view of the fact that while the present Commissioners were elected in November, 1907, the Philippine legislature is by the law to meet hereafter in February of each year.

I have answered your questions as best I could, not as an official decision, but as an expression of my views for your information. Under section 48 of the Revised Statutes the Speaker's certificate is conclusive on the accounting officers, and therefore all questions as to salary and mileage of Members and Delegates are to be decided by the Speaker.

It is the practice to treat the Speaker's certificate as to a Commissioner's salary as having the same effect as it has in the case of Members and Delegates.

Respectfully,

R. J. TRACEWELL, *Comptroller*.

The SPEAKER. Under that letter and under the law, unless the House directs to the contrary, the Chair will sign the certificates which will entitle these Commissioners to the compensation indicated in the letter, which will be at the rate of \$7,500 a year from the date of their certificates, which, I believe, was in November.

COMMITTEE ON POST-OFFICE DEPARTMENT EXPENDITURES.

Mr. WANGER. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the Clerk's desk.

The Clerk read as follows:

Resolved, That the Committee on Expenditures in the Post-Office Department, or such subcommittee as it may designate, shall have leave to sit during the sessions of the House during the Sixtieth Congress.

The SPEAKER. Is there objection?

There was no objection.

Mr. WANGER. Mr. Speaker, I desire to say a few words upon the subject to which this resolution relates, and first to make a brief statement of fact which seems opportune and just to those members of the Committee on Expenditures in the Post-Office Department who have been making an investigation for several days in order that the House may know that the committee has been organized and at work for some time past.

This is important in view of a misstatement in debate during my brief absence from the session on Saturday, when the resolution reported by the Committee on Accounts authorizing a clerk for this session to each of the House committees on expenditures was under consideration, which misstatement was evidently made through misapprehension and was, that only three of these committees on expenditures (naming three which did not include the one of which I have the honor to be chairman) were at work, or purposed, so far as the speaker referred to had heard, to work in discharge of the duties imposed upon them by the rules of the House, and more particularly does this statement of work done by my committee seem appropriate from the fact that that usually accurate and always fair newspaper, the Washington Post, this morning attributes to an honored Member of this House, who is a prominent member of the Committee on Expenditures in the Post-Office Department, this statement relative to that committee:

While the committee had had several meetings already, so far it had done little more than prepare for the work, and that it would probably not get to the investigation until some of the appropriation bills had been disposed of—

I desire to say that this gentleman, whom I have been pleased to regard as my personal friend, has been kept from most of the meetings of the committee by reason of work upon another and more prominent committee, and I do not suppose, if he uttered the remark attributed to him, that he meant to ridicule or reflect upon or even criticize the investigation which is actually being and has for some days been conducted by our committee and such of its members as were able to attend its meetings. That the work of the committee might have been better done had he been present at its investigations may be conceded without thereby acknowledging that it was little more than preparatory.

On the subject of a session clerk for the committee, I wish to say that if the committee were to comply literally with the rule, it would require a great bureau instead of one clerk to do its work. In order to reasonably and properly perform the duties which may justly be expected from this committee by this House—among other things to investigate and report upon the economy and justness of expenditures, retrenchment, abolition of useless offices, and fairness of salaries paid and asked for—it should have a clerk of the ability, capacity, and willingness to serve the committee and the House equal to that, for instance, of Mr. Courts, the clerk of the Committee on Appropriations, and its work should go on the year round, whether the House is in session or in vacation; and I trust that before this House adjourns it will make better provision to increase the effectiveness of the Committee on Expenditures in the Post-Office Department. Unless the position of clerk is made sufficiently certain and remunerative the committee can not secure the kind of clerk it should have and perform its reasonable duties fully or satisfactorily.

Mr. BARTLETT of Georgia. Mr. Speaker, may I ask the gentleman a question?

Mr. WANGER. Certainly.

Mr. BARTLETT of Georgia. The gentleman spoke to me before the House met. Did I understand the gentleman to say that the Washington Post attributes what he read to some Member of the House?

Mr. WANGER. Yes; to a Member of the House who is a member of the Committee on Expenditures in the Post-Office Department.

Mr. BARTLETT of Georgia. I thought the gentleman, from his conversation with me prior to the meeting of the House, had reference to myself.

Mr. WANGER. I had no reference in my remarks touching the Post article to the subject respecting which I had before spoken to the gentleman from Georgia. My only reference to him since I took the floor was in comment upon what he said in the House on Saturday as printed in the Record.

Mr. Speaker, the committee has had two or three hearings during the sessions of the House in violation of the rule. We can not properly perform our functions unless we have many more such hearings, and I ask the adoption of the resolution to make them in harmony with the law of the House.

Mr. BARTLETT of Georgia. If the gentleman will yield for a moment, I understood from the gentleman's remarks that he had read something in the Washington Post that he had attributed to me.

Mr. WANGER. Not at all.

Mr. BARTLETT of Georgia. I want to say with reference to my remarks on Saturday last, if the gentleman will permit, that nothing I said could properly be construed as in any manner reflecting on the committee over which the gentleman from Pennsylvania presides. I was ready to vote for a clerk of any committee that would do the work, and I would know, had I heard the gentleman's statement before the committee, that if he had undertaken to do the work the House could rely upon its being done and well done.

The resolution was agreed to.

INVESTIGATION OF PEONAGE.

Mr. WILLIAMS. Mr. Speaker, I move to suspend the rules and pass the resolution No. 266.

The SPEAKER. The gentleman from Mississippi moves to suspend the rules and pass the resolution which the Clerk will report.

The Clerk read as follows:

Resolved, That the Immigration Commission be requested to make an investigation into the treatment and conditions of work of immigrants on the cotton plantations of the Mississippi Delta, in the States of Mississippi and Arkansas, and upon the turpentine farms, lumber camps, and railway camps in the States of Florida, Mississippi, Louisiana, and other States; and to report them at as early a date as possible.

The SPEAKER. The gentleman can move to suspend the rules and pass the resolution as reported.

Mr. WILLIAMS. That is what I have done—

The SPEAKER. Or the gentleman can move to suspend the rules and pass the resolution with the amendment to the original resolution, which strikes out the word "Southern."

Mr. WILLIAMS. There is no amendment to the original resolution. The resolution was recommended to the Committee on Rules and reported back with the one word "Southern" stricken out. This is a new resolution.

The SPEAKER. The resolution as reported strikes out the word "Southern."

Mr. WILLIAMS. Then I will change my motion to suspend the rules and pass the resolution as amended.

The SPEAKER. Is a second demanded?

Mr. HARDWICK. Mr. Speaker, I demand a second.

Mr. WILLIAMS. I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. WILLIAMS. Mr. Speaker, there is no necessity for any long explanation in connection with this resolution. Charges have been made of the existence of a condition of peonage among immigrants in certain States of the Union, Mississippi being one of them and Florida being another. Some of these charges have taken a quasi or semi official aspect, and, while not published as official documents, have in some unexplained way obtained access to the newspapers of the country, have been translated into Italian, Swedish, and several other languages, and have done and are doing a great deal of harm to the cause of immigration into these States.

It was therefore thought well by those who had the welfare of these States at heart to have an investigation made by an impartial body which should determine whether or not such a condition of things existed. If such a condition of things does

not exist, it is due to the communities where it was alleged to exist that the truth should be known. If such a condition of things does exist, it is due to everybody that that should be known. For this reason the resolution was introduced. Two resolutions were introduced, one by the gentleman from Florida [Mr. CLARK] and the other by the gentleman from Mississippi [Mr. HUMPHREYS], and the resolution which comes from the Committee on Rules is an amalgamation of and a substitute for those two resolutions.

The other day when the resolution was reported the word "Southern" was inadvertently left in—that language occurring in one of the resolutions as originally introduced—so that it read "in other Southern States." Upon recommitment to the Committee on Rules the word "Southern" was unanimously stricken out, so that it now reads "other States." There was a well-grounded opposition to it in its first form, because it seemed to be singling out the Southern States for investigation.

I will now yield three minutes to the gentleman from New York [Mr. BENNET].

Mr. MANN. Will the gentleman first yield for a question?

Mr. WILLIAMS. Certainly.

Mr. MANN. Will the gentleman explain to the House what interest it was that translated these reports and, as I understand, spread them over Europe?

Mr. WILLIAMS. In answer to the question of the gentleman from Illinois, I will state that I am not sufficiently certain of my own opinion being well grounded to be willing to make a statement of it as a proven fact, but the allegations were used both abroad and by immigration agents in New York, so as to divert immigration from these sections of the country to other sections of the country. I have my own opinion as to what the interests were that were making use of this, but as I am not sure and can not prove it, I do not care to make the statement. I now yield three minutes to the gentleman from New York [Mr. BENNET].

Mr. BENNET of New York. Mr. Speaker, as a member of the Immigration Commission I desire to say that so far as I know there is no opposition on the part of the Commission to this request from the House. We have already the authority to do this work under the existing law, and I think I ought to say, in justice to the members of the Commission who are not members of this House, that very probably we would do it in any event; but, of course, our Commission would pay especial attention to a request from this body.

While I am on my feet I want to make what is in the nature of a personal statement. In relation to this subject of peonage I possess as profound ignorance as any gentleman in this House. However, in response to an invitation from the governor of Florida, addressed to our Commission, I attended an immigration conference at Tampa, and was very kindly and courteously treated. The newspapers of that section did, however, publish some things about some remarks which I made which were inaccurate. I do not think they were intentionally inaccurate, but they quoted me as expressing an opinion in regard to peonage, something which I said in my remarks I knew absolutely nothing about, and also as expressing an opinion in relation to a lady who was an assistant United States district attorney, a lady whom I know and whom I respect. I expressed no opinion whatever, and if this investigation is asked at the hands of the Immigration Committee I want to say frankly and fairly to both sides of this House that so far as I am concerned as a member I intend that the investigation shall be fair, accurate, and so far as I can make it conclusive, no matter what we may find.

Mr. HUMPHREYS of Mississippi. Mr. Speaker, I want to say a few words only in explanation of the resolution which I introduced. It asked that the Immigration Commission be requested to go to the State of Mississippi and to the State of Arkansas and make an investigation to ascertain if there was a condition of peonage existing there. I included the State of Arkansas, because the gentleman who represents the particular district in which the peonage was alleged to exist wanted the investigation made, and for the further reason that although the plantation upon which the peonage is charged to exist is in the State of Arkansas it is operated and managed by citizens of Mississippi, residents of my home town.

In answer to the gentleman from Illinois [Mr. MANN], I want to make an explanation which, I think, will throw some light on his question. I will first give very briefly an outline of the history of the one Italian colony in Arkansas, on the Sunnyside plantation, which has caused so much comment in the newspapers, and which, in fact, has inspired the resolution which I have introduced. This colony was established eighteen years ago by Mr. Austin Corbin, of New York City, and an Italian nobleman, who, I believe, at the time was the mayor of the city

of Rome. That colony has prospered as few colonies have ever prospered. A few years ago Mr. Alfred Holt Stone, a scholarly gentleman who has given a great deal of study to such questions and who has had large experience as a cotton planter, and who, in addition to all that, and best of all, is blessed with an abundance of the saving grace of common sense, went over to Sunnyside for the purpose of investigating this colony and made a report of his observations there to the American Economic Society, of which he is a very conspicuous member. That paper attracted a great deal of attention throughout this country, and with your permission I will read a few extracts from it.

Before reading, however, let me explain that Mr. Stone is perhaps the most profound student of the race question in this country to-day. He is invited frequently by the faculties of all the great colleges of the North to address them on this question, and is everywhere recognized as a man of the highest character and a writer and speaker of unusual ability. Having heard much of the success of the Sunnyside colony, he went over to investigate conditions there, the particular thought which inspired him being to make a comparative study of the negro and the Italian as farmers on the same plantation and under identical conditions.

The extract follows:

As the current year's business is not yet closed, I shall eliminate it also. This gives us a six-year period for a comparative exhibit of the two classes of labor, working literally side by side, their land indiscriminately allotted, each on the same tenure, each under the same conditions of soil, climate, and management. I shall confine this exhibit to the salient features of the operations. These are the number of families and hands, cotton acreage and production, and the value per hand. I shall consider only the cash commodities of cotton and seed, and shall reduce the figures to annual averages.

This gives us the following results: Average number of squads—Italians, 52; negroes, 167. Average number of working hands—Italians, 269; negroes, 433. Average number of acres per working hand—Italians, 6.2; negroes, 5.1. Average pounds of lint per hand—Italians, 2,584; negroes, 1,174. Average pounds of lint per acre—Italians, 403; negroes, 233. Average cash product value per hand (cotton and seed)—Italians, \$277.36; negroes, \$128.47. Average cash product value per acre—Italians, \$44.77; negroes, \$26.36. Thus the Italian is seen to have produced more lint per hand by 1,410 pounds, or 120.1 per cent, and to have exceeded the negro's yield per acre by 170 pounds, or 72.9 per cent. The difference in money value in favor of the Italian was \$148.89 per hand, or 115.8 per cent, and \$18.41 per acre, or 69.8 per cent.

Mr. SHACKLEFORD. What is the gentleman reading?

Mr. HUMPHREYS of Mississippi. I am reading from Mr. Stone's paper in the Papers of the American Society of Economics, at the meeting in Baltimore in 1905.

In another place, speaking of a squad of Italians, composed of four working hands, he says:

They had 43 acres, and made 437 pounds of lint per acre, and 3,135 pounds per hand. This squad has been on the place several years, and is reputed to have accumulated more than \$15,000 in cash. It goes without saying that they owed no supply account. Their other account, rent, ginning, etc., amounted to \$426.66. Their crop brought \$2,172.10, leaving a net balance of \$1,745.44.

Now, I wish to call your especial attention to this paragraph, remembering that this is on a plantation where we are told peonage is the system under which it is operated:

The first of these two squads illustrates what may develop into a tendency of considerable sociological importance. This is the withdrawing of their women and children from regular field labor as soon as the step is warranted by an improved economic condition. Here and there this is being done, though in no case until the stage in which their labor is necessary has been passed. It is frequently true that although women and children are included in the statement of working hands, they merely assist at intervals, according to the necessities of the crop.

It is alleged that peonage is made possible by an imprisonment for debt statute. Of course we have no such statute, but the following extract shows how utterly without foundation are all such charges, be the law what it may:

We need not multiply accounts for the mere purpose of comparison. The general results possess a meaning sufficiently significant. Of the 110 Italian squads who started to work at the beginning of the current year 44 were new arrivals. Yet of the total number 63 squads, or 59 per cent, had no supply accounts during 1905. That is to say, practically all who were on the place last year were in a condition of independence this year.

This situation may be understood when we know that back of it lies the fact that to the sixty-six Italian families in 1904 cash balances above accounts were paid in the sum of \$38,764.58, an average of \$587.35 per squad.

Take another illustration of what these operations have meant for the two races: There are 107 Italian squads at the end of 1905. Of these 104 own 123 head of work stock and other live stock, such as cattle, sheep, and hogs, to the total value of \$23,400.

And so the story goes, Mr. Chairman, through the entire article.

Dr. Victor H. Clark, a gentleman who has frequently been employed by the United States Government to make investigations of this character, and who has visited several of the countries of Europe for that purpose, was so much impressed

by the report which Mr. Stone made that he went down to investigate for himself, and he reported that he found conditions there even more favorable than Mr. Stone had represented. But there were two interests, I will say in further answer to the gentleman from Illinois [Mr. MANN], which would be served best by an unfavorable report going out from the Sunnyside property. Those two interests were the Italian Government and the immigration agents located in the large cities of the North.

The interest which the Italian Government had was to prevent any emigration of her agricultural classes from her northern provinces. There is as much difference, as we all know, between the Italian farmer of north Italy and the south Italy fruit vendor as there is between the German and the Scandinavian of the north and the people of southern Europe generally. It was very natural that the Government of Italy should discourage the emigration of these, the best people of the Kingdom, and I have no quarrel with her on that account. I bid her God speed in her undertaking. But I do object to having my native State held up to the other countries of the world as a land of crime and slavery, to be avoided as a thing unclean.

Another interest which would be served by damning Sunnyside, and through it the entire cotton belt, is that represented by labor agents in our large cities. They have always opposed the proper distribution of immigrants throughout the country. That is her business, and, so far as I am personally concerned, They wish to keep them in the city, so that they may supply them first to this contractor and then to another, and thereby retain them as a permanent asset. Every immigrant who goes into the country and settles upon a farm is lost to them forever.

Reports began to emanate suspiciously near the Italian consulate at New Orleans charging all manner of cruelty, charging peonage to exist as a universal condition on this plantation, and the newspapers of the country took them up and sowed them to the winds. They were translated into foreign languages, circulated all over Europe, and I am advised that in the railway stations of a number of countries in Europe placards are posted in which emigrants who are contemplating going to America are warned to stay away from the State of Mississippi if they desire to keep out of slavery. I do not believe, Mr. Speaker, that newspaper misrepresentation—I do not believe that newspaper criticism, or, I may say, newspaper slander—ought either to inspire or justify Congressional action.

But this case stands upon a different footing. True the newspapers have been industrious in circulating the falsehoods to which my colleague has referred. Take these headlines, for instance, which are only types of many others equally lurid and atrocious. The stories of lawlessness which thus thunder in the index have been translated into all the tongues of Europe:

White slavery Dixie's burden—Further exposé of conditions shows many immigrants are held as vassals for alleged debt—Mississippi act an aid—Law permits employer to seize "agricultural servant" in arrears; probe for Sunnyside Farm.

Complaint as to treatment of immigrants causes Austria to put Mississippi on black list—Problem for Uncle Sam—Peonage and burdensome contracts injure plans for development of Southern States.

And then an item like this, which is as false as dicers' oaths:

CAPTURED; WORK UNDER ARMED GUARD.

Men have been captured on the streets of a Mississippi city in open daylight by an armed planter, transported across the river to Arkansas, and put to work there under a guard of men armed with rifles. All of this was legal, according to local law, although it is in direct violation of the laws of the United States.

We of the South have been made the target for similar venomous shafts for so many years. We have been traduced and misrepresented so persistently for the past few decades that we have almost grown callous. We have learned by sad experience the utter uselessness of attempting to correct these libels and the senselessness of expecting anything approaching a square deal from the great metropolitan dailies, and so we have long since learned to pass all such by with silent contempt. That course would still be followed, even under the aggravating provocation of these recent eruptions, if the sins against us had still been confined to the customary abuses of the privileges of free speech so frequently interpreted by a large part of our press as license to slander; but this is not the case. This ceased to be mere newspaper gossip. These stories are told now upon the alleged authority of an official report made to the Department of Justice by agents specially designated to investigate these conditions; and so they go forth with the added weight of the alleged indorsement of this great Government. No man who loves his State, Mr. Speaker, can sit silently by and permit such charges to go thus officially authenticated without an effort at least to refute them. No more

serious charge could be brought against a State than that a system of white slavery exists in it, which is sanctioned by its laws and upheld by its courts. The charge is not the old and threadbare story that a superior race is denying equality to an inferior one, but that a system of peonage is maintained under the forms of law, and that white men are inveigled there by fraud and misrepresentations, and when they come are thrown into slavery and denied the simplest rights which the laws both of God and man guarantee.

We are warned by the overcautions to avoid and even to oppose any investigation. That would certainly be an easy course to pursue. It is along the lines of least resistance and therefore the less liable to friction. As a politician, therefore, I would embrace that suggestion with composure, but as a patriot I must reject it with contempt.

Mr. Speaker, I love the State of Mississippi. Beneath her soil all the generations of my ancestors, so far as I know aught about them, sleep the sleep that knows no waking. She has been generous to me and mine, and when this fitful dream has passed I, too, hope for eternal rest beneath her sacred sod. In my humble opinion there has never been a day in her long and eventful history when she was afraid of the truth; there was never a time when the light of God's sunshine would reveal aught in her domestic economy that would bring a blush to the cheek of her sons. And I shall not at this late day, Mr. Speaker, commissioned as I am in part to represent her here, sit silent in my seat while her good name—the most immediate jewel to the soul—is filched from her. [Applause.]

The United States Government has made an investigation of this matter, and in view of what I have stated just now, that certain interests would best be served by an unfavorable report, it is interesting to note that the agents which the Federal Government employed to make the investigation were two in number—one suggested and recommended by the Italian ambassador and the other himself an immigration agent in the city of New York.

First, the reports are sent out from sources suspiciously near the Italian consulate at New Orleans, and subsequently, at the request of the Italian ambassador, the Attorney-General of the United States undertakes an investigation and employs as the chief investigator a lady whom the Italian ambassador suggests and, in fact, nominates.

This extract from a personal letter written by Mr. Percy, one of the partners in the Sunnyside plantation, one of the most distinguished gentlemen in the South, and wholly incapable of uttering a falsehood, tells its own story better than I can tell it:

Our Government then proceeded to investigate conditions, and if it had aimed to absolutely damn and discredit the South by its investigation it would have pursued precisely the same course I did pursue. It sent out special paid attorneys, aided by a corps of interpreters, detectives, and special agents, with instructions to discover violations of the law. Each violation discovered redoubled the zeal and industry of the explorer and vindicated the wisdom of the Government in having the investigation made. The investigation was made with a brass-band accompaniment. The country was raked with a fine tooth comb for malefactors, and the discovery of each one was heralded as a triumph. Not ordinary, but extraordinary, publicity was given to each step of this investigation. Just as an illustration: The attorney investigating Sunnyside, among the thousands of Italians who have been upon it, discovered, in his judgment, one case of peonage.

The proof sustaining it was not submitted to the Federal grand jury according to the ordinary procedure, although there was not a possibility of the party accused leaving the country, but an affidavit was made before a commissioner, so that the entire country might be advised of the fact that in the opinion of the investigator a prima facie case of peonage had been discovered.

No notice was taken, no report was presented as to the condition of the thousands of Italians who had fared well throughout the South, and to whom just treatment had been accorded.

Mr. Speaker, it is not my purpose to criticize harshly or unfavorably the lady who made this investigation. I do not know whether she went beyond the terms of her employment or not. I do know, however, that she at least exceeded the scope of the authority of the Department of Justice. She did not confine herself to an investigation to ascertain whether the law had been violated or not, but she went into a full and complete investigation of the conditions of work and of labor there, a matter which properly belongs to another Department of this Government.

THE SPEAKER. The time of the gentleman has expired.

Mr. HARDWICK. I yield five minutes additional to the gentleman.

Mr. HUMPHREYS of Mississippi. Now, Mr. Speaker, the fact that the agent who made the investigation was a lady of high character, was honest, was high-purposed, is of itself by no means conclusive that the investigation was fair or that her report was impartial. It is immaterial whether the investigator be corrupted beforehand to bring in a certain report, or whether an agent is selected whose habits of thought, whose

mental processes are known in advance to be such as will lead inevitably to a given conclusion. It is immaterial so long as the result itself is predestined. Whether Cæsar was killed by the "well beloved" Brutus or by the "envious Casca" made no difference to him; the result was equally disastrous.

Now, this good lady has spent much of her useful life in the investigation and study of the unhappy conditions of the extremely poor in the great cities of this country. Whether as a result of that study she reached her conclusion or whether the study was the result of a preformed conviction on the subject, the fact is that when she undertook this investigation she was thoroughly saturated with those ideas of the proper relations of the rich and the poor, of society to man, of the individual to society, which are the high tenets of socialism. In this mental condition she was regaled with these stories of cruelties and peonage, of oppression of the weak and friendless by the rich and the powerful on this plantation, way down in the black belt of the far away and benighted South, and she started upon her crusade with all the enthusiasm, and I might say with all the lack of wisdom and with all the misdirected zeal that characterized the knights of old in their—I was about to say senseless—but at any rate fruitless though heroic efforts to repossess the holy sepulchre. Such was the mental equipment of this "sociological expert," as my colleague has put it, when she turned her face toward Damascus, and, sad to relate, "there shined round about her no light from heaven as she journeyed and no voice spake to her to convert her."

Mr. Speaker, the men of the South have inherited the lessons of chivalry from their cavalier ancestors. Respect for women is taken into their being with their mother's milk. High-spirited, proud, quick-tempered, too prone to answer affront with a blow, a prince among men, acknowledging no superior, he stands always, hat in hand, before her imperial majesty, Woman. And so Mrs. Quackenbos tells us that she was received with marked courtesy by the owners of Sunnyside when she arrived to begin her investigations. A buggy was tendered her for her use in going about the property, which she declined. Other courtesies were likewise declined. Whatever may have been her fears, these were not attempts to gain her favor and so temper her zeal. How foolish would such an effort have been.

Was ever woman in this humor wooed?
Was ever woman in this humor won?

Her first lieutenant, who went with her as "interpreter," was a Mr. Pettek, a member of the firm of Pettek & Rossi, labor agents, New York City. He was sent on beforehand, as a sort of John the Baptist, but with instructions not to make his employment known; and so for a few days he went about the plantation talking with the tenants in such a way as to excite the suspicion of the company's agents, who began to question him about what he was doing there, and he said he was seeking employment. They believed he was a labor agent, trying to induce their tenants to leave, and they warned him to quit the plantation or he would be prosecuted as a trespasser.

He subsequently stated that he was a labor agent and produced a business card of Pettek & Rossi. He refused to go, and accordingly was arrested and carried before a justice of the peace; and he then for the first time said that he was an agent of the United States Government, sent there on business of the Department of Justice, but he failed to show his credentials. He was fined, and the case was appealed to the circuit court and is now pending. It developed afterwards that, as a matter of fact, he was a representative of the Government. Now, note how this circumstance has been used to harm that colony. Newspaper men who had been most industrious in circulating these slanders were written to by the owners of this plantation and were told that they were being misinformed. "You are doing us a great injustice; come down and make an investigation and see for yourself." They were answered by this statement: "Why, the Federal Government sent a man to make an investigation and you at once set upon him and cast him into prison," and then in more flaming headlines they warned all people not to accept employment at Sunnyside and not to go there to make any investigation, if they did not want to be put in the chain gang.

The SPEAKER. The gentleman's time has expired.

Mr. HARDWICK. I yield five minutes to the gentleman from Mississippi.

Mr. HUMPHREYS of Mississippi. Now, Mr. Speaker, I have a letter which I am going to print in the RECORD. Prof. Bushnell Hart, of Harvard University, hearing of these stories, was sent by the corporation to make an investigation. He went to Sunnyside in January and afterwards wrote a personal letter to President Roosevelt, a classmate and lifelong friend of

his, which I will read. I find this letter published in the Vicksburg Herald, together with several others, in an article written by Governor X. O. Pindall, of Arkansas:

LETTER TO LEROY PERCY.

Professor Hart's letter to Mr. Percy, in part, is as follows: "There must, of course, be more in the Quackenbos and Pettek episodes than I understand, and I have made no attempt to enter into any pending legal questions; but the frankness and straightforwardness of your employees, the visible comfort of the tenants, and the general air of thrift and good business management show that the impressions that have gone abroad through the country with regard to Sunnyside are not justified."

LETTER TO THE PRESIDENT.

Professor Hart's letter to President Roosevelt, in part, is as follows:

JANUARY 10, 1908.

Mr. PRESIDENT: The corporation has given me two months leave of absence in order to go through the cotton belt of the South and to get some personal impression of the actual conditions of the agricultural population, both white and negro. A few days ago, through the good offices of Prof. Franklin L. Riley, of the Mississippi State University, I was introduced to Mr. Percy, of Greenville, one of the owners with Mr. Crittenden of the Sunnyside plantation in Arkansas, a place which has been much in the public eye because of the investigations by Mrs. Quackenbos there, and of the charge of peonage now pending against Mr. Crittenden. Mr. Percy gave us credentials to the plantation and we spent twenty-four interesting hours.

Without entering at all into the question of the charge against Mr. Crittenden, upon which in any case I should not feel justified in expressing an opinion, I think you may be interested to hear at first hand some general conclusions that impressed themselves upon Professor Riley and myself as to the conditions of that plantation, especially with reference to the three issues of the reports of investigators sent by the Federal Government and apparently by the Italian Government, the Pettek case, and the frame of mind down there of the people on peonage.

As to the condition of the people on Sunnyside, both Italian and negroes, they are better housed and better cared for than on any plantation that I have seen or visited. There is no want among them and has been none. I visited the family which is alleged to have been reported as starving, and they had a cow, calves, hogs, provisions, and credit at the store. The water supply is the pump water, common throughout the Delta. The people throughout are well fed, and there is on the place a very intelligent and highly skilled doctor. If any report has been made that the people are badly treated by the owners of the plantation, I feel sure that it is erroneous.

As to the arrest and fining of Mr. Pettek, he may, of course, have had a purpose and an authority which he did not reveal; but I believe that Mr. Wright, the manager, the bookkeeper, Doctor Norton, and Father Galloni, the Italian priest, were all candid in the accounts which they gave and agreed with each other to the effect that Pettek behaved in a suspicious manner and absolutely declined to show any credentials other than a printed card.

As for restraint or violence on the plantation, it is on the face of it very unlikely. The plantation lies for 8 miles along the Mississippi, is easily accessible from the interior, is very near a railroad station, and people can come and go to it freely. I was allowed to examine the accounts of any tenant and did go through carefully and analyzed the account of an Italian and of a negro. Being an old accountant myself, I was interested to see that the books were well and clearly kept. There is, of course, the usual plantation system of advances, interest charges, and the like, but the impression made on my mind was that they were more than usually careful in keeping straight and comprehensive accounts. I saw where one of the Italians had carried over a credit balance of \$2,600, which he was leaving with the company on interest, and the fact that more than nineteen-twentieths of the Italian families who were in the plantation's employ in 1907 have contracted again for 1908 is a proof that they are satisfied.

As a result of all this hurrah—and I do not feel justified in dignifying it beyond a hurrah—one charge of peonage was preferred against one of the partners in the Sunnyside business. An affidavit was made before a United States commissioner as though it was feared that he might flee the realm before the grand jury met. The fact was telegraphed everywhere that one of the Sunnyside planters had been indicted and sometimes it was said convicted of peonage. "A MILLIONAIRE INDICTED" was the usual headline. That, of course, made it more interesting.

When the grand jury met and heard only the Government witnesses testify they made the following report to the court:

We have examined all the witnesses that the Government has presented before us. We have investigated six cases charged with peonage. We have failed to return a single indictment of peonage on the evidence adduced by the Government alone. In our judgment the condition of peonage, or any arrest for the purpose of returning to a condition of servitude, was not shown.

We were mindful of your honor's charge, that if sitting as a petit jury we would convict on the evidence submitted sitting as a grand jury, it would be our duty to indict on such evidence. The evidence adduced was not of such character as would, in our judgment, have sustained in any instance a conviction, and, therefore, could not warrant an indictment.

When court adjourned the Assistant Attorney-General, who had been sent to Vicksburg to look after these peonage charges, in his report to the Attorney-General said:

No permanently established system of peonage of a set of laborers was proven to have been maintained on any plantation, nor was there proven any shocking systematic cruelty, though there were many arrests and some rough treatment.

Bearing in mind that his impression had been formed from the report and examinations of Mrs. Quackenbos, the concluding paragraph of his report is very significant:

More has been accomplished than I expected, knowing of inspired newspaper abuse, and Delta conditions, with regard to Italian peonage, are far milder than I expected to find.

RUSSELL.

This, Mr. Speaker, is the story briefly and imperfectly told of what I believe to be an outrage on the State of Mississippi. Sunnyside was selected because it was the best known of all the southern colonies. As Professor Hart expresses it, "It had been much in the public eye." It was the bright particular star whose glory must be dimmed, if it could not be obliterated entirely from the firmament; in order that the wicked purposes of certain interests might best be served. Other plantations were attacked with like intent but less of zeal, but in my limited time I can not go into them. I may take occasion hereafter to say something about the methods employed by the officials of the Department of Justice in their vain efforts to extort an indictment from the grand jury. The recent term of the Federal court at Vicksburg, with its strange mingling of Italian count and attorneys-general, would make a chapter unique in the history of our jurisprudence. But I am admonished that my time is about to expire.

Let me add just one word, Mr. Speaker, on the subject of foreign immigration.

We want immigration to Mississippi, but provided always it is of the right sort, and to such we will extend that protection which the law and the Constitution guarantee. But we are not immigration mad. Our children are to live after us, and we are not afraid to leave to them in some proper measure the task of developing our natural resources.

There is plenty of work for willing hands, but the world will not come to an end to-morrow. Speaking for my single self, I will say that, while I would welcome the industrious, law-loving citizens of Europe who come among us to help us uphold the law and upbuild the State, I believe no greater calamity could befall us than to take down the bars and lift the flood gates and turn the tide of unrestricted immigration toward the South. Let Italy check her emigration as she sees proper to do. I say, God prosper her in the undertaking. But I do protest with all the earnestness of my nature against the vile slanders upon the State of Mississippi which are being circulated to-day throughout the world to serve the selfish interests which are responsible for them. [Applause.]

Mr. WILLIAMS. Mr. Speaker, I yield to the gentleman from Florida [Mr. CLARK].

Mr. CLARK of Florida. Mr. Speaker, for more than a year I have been seeking to get some responsible, honest, and fair-minded body, in whose report of findings of fact the public would have confidence, to make an examination into alleged peonage conditions in the State of Florida. Conscious of the fact that the lurid accounts of "peonage," "slavery," "involuntary servitude," "brutal and inhuman treatment of laborers," and other sensational rot, which for months past have found space in a number of the infamous "yellow journals" of the country, in the columns of slimy publications which smell of the "slums" and which are misnamed "magazines," and also in some most remarkable documents emanating from the Department of Justice of the United States, were absolutely false in all essential particulars, the people of the State of Florida, through their servants at this capital, through the public press of the State, through responsible commercial bodies, through the legislature of the State, as evidenced by resolutions passed by the house of representatives, and in almost every conceivable proper way have been earnestly and constantly demanding that a fair, honest, thorough, and impartial investigation be had to the end that the truth might be laid bare and the world might be correctly informed as to the real conditions in that American Commonwealth as affecting labor.

Now that the Committee on Rules, to whom the resolutions asking this investigation were referred, has reported a resolution as a substitute for the resolution offered by the gentleman from Mississippi [Mr. HUMPHREYS] and for the resolutions offered by myself providing for the investigation which our constituencies desire, I sincerely trust that this House will, by a unanimous vote, adopt the substitute resolution and thus make way for the speedy, impartial, and thorough investigation of these matters which in their practical effect have been of so much injury to the fair name of the great and good State of Florida, which I have the distinguished honor to represent in part upon the floor of this historic Chamber.

As the investigation will now, in all probability, be made, Mr. Speaker, I shall at this time refrain from a discussion of the merits of the various charges that have been given world-wide publicity, and which directly affect the honor of my State and her people, preferring to quietly wait until such time as we can have before us the result of the labors of the honorable gentlemen who will undertake this great work. My people, as noble, as honest, as truthful, as honorable, as brave, and as patriotic a people as ever breathed the liberty-laden air of this Republic, will come through the ordeal of investigation "with-

out the smell of fire upon their garments," and, in spite of the vile batteries of slander which for the past year have been belching their infamous "slum-begotten" fabrications in the direction of the "land of flowers," Florida will, when it is all over, with smiling face and her proud escutcheon unstained, greet her sisters of the Union as proud as the proudest and with her glorious record still as pure as the lilies that adorn her bosom.

While I shall not enter the realm of discussion as to the merits of the accusations, I shall call to the attention of the House and the country a few facts, in the short time allowed me, with reference to the Department of Justice of the United States. While that Department of the Government has never been specially distinguished for the legal knowledge of the alleged lawyers who are generally supposed to be housed therein, I think I may say that usually we have had at the head of the Department something of a lawyer. I fear, Mr. Speaker, that we have "fallen upon evil times" with reference to the "big chief" of the Department of Justice.

Personally, I know very little of the present head of the Department of Justice. Whatever may be his qualifications as a lawyer, he has certainly been extremely unfortunate in the selection of some of his inferiors, and particularly with reference to those to whom he has committed these prosecutions in the State of Florida, and presumably in other States, for alleged peonage practices.

It seems that when the present head of the law department of the Government, and which ought to be the very fountain head of justice, got well into the saddle, he, instead of looking after the law business of the United States Government, began a crusade in certain States to regulate sociological conditions. It seems that in the course of his undertaking this transplanted bud of alleged French nobility became acquainted with a lady bearing the euphonious cognomen of Mrs. "Mary Grace Quackenbos," whose field of labor previous to her acquaintance with the great Baltimore lawyer was in the slums on the "East Side" of "dear old Manhattan Isle." I presume that the learned Mr. Bonaparte, the head of the Department of Justice, the highest law officer of the Government, was of the opinion that this "slum worker" from New York was a very proper and fit person to send into the State of Florida and other benighted regions of our country to regulate conditions, legal and otherwise. At any rate, Mr. Speaker, we find that one Charles W. Russell, who styles himself as "a Southern man and a Democrat," was selected by this great lawyer, and given complete charge of the investigation of alleged peonage conditions in the Southern States.

This "Southern man and a Democrat" quickly called to his aid from the "slums" of the "East Side" of "dear old Manhattan Isle" Mrs. Mary Grace Quackenbos. My God, what a combination! In normal times, Mr. Speaker, it would be an affliction upon any people to send into their midst Charles W. Russell, "a Southern man and a Democrat," and "Mary Grace Quackenbos"—in combination or separately. [Applause.]

I have not the time to fully discuss this pair as I would like to discuss them in this presence, and as I may discuss them after the investigation contemplated shall have been made. Suffice it now to say that of all the ridiculous, farcical proceedings under the forms of law the capers cut by these people in the Federal courts in Florida take the palm. As I have said, I can not at this time discuss either the merits of the case or the conduct of these people as I would like to. The time will not come when I can discuss their conduct, and particularly that of Mr. Russell, in this presence as it ought to be discussed and exposed. This presence forbids my characterizing him as he ought to be characterized, as he deserves to be designated, and as I would designate him if I could do so without offending the proprieties of this presence. The parliamentary rules which govern this great body prohibit my characterizing this man, who styles himself as "a Southern man and a Democrat," as he deserves to be characterized and as I ought to characterize him. "It is a dirty bird that fouls its own nest," and this man says he is "a Southern man and a Democrat."

At this time I shall content myself, so far as he is concerned, with calling attention to a report which he made to his chief on February 14, 1907. This report has never been published, to my knowledge, and it certainly has never come to the knowledge of any of the Florida delegation in Congress until a few days ago, when he filed it with the Committee on Rules. In this report which this man made to his chief he writes himself down as absolutely unworthy to be intrusted with a high place, where the honor, the integrity, or the liberty of the citizen is involved. In this report, which I have not the time to read, he makes statements relative to the people of Florida which I unhesitatingly denounce as absolutely, and I believe willfully, untrue. In-

stead of this alleged report being what it ought to have been—a simple statement of fact and such views as he might have of the law—it is written in "dime-novel" style, of course with Russell figuring conspicuously as the hero of the story, and is entirely unworthy of a place in the files of any Government Department. He goes out of his way to attack me, and places words in my mouth in a manner in which they were not used. So far as the attack of this man upon me is concerned, if I were somewhere else, where the rules would permit, I would not hesitate to denounce his statement in language about the meaning of which there could be no mistake. I will simply say here that his statement with reference to me and my motives, made to his chief in a report which appears to have been zealously guarded for a year, is a base fabrication cut out of the whole cloth.

Again, he intimates in this secret report that while he was in Jacksonville looking after these alleged violations of law, the district attorney was absent, pretending to be sick. I want to say, Mr. Speaker, that the district attorney for that district is the Hon. John M. Cheney, a Republican, appointed by the present occupant of the White House. John M. Cheney is a lawyer of recognized ability in the State of Florida, a man of high character, in whom the people, without regard to party, have confidence. At the time this man speaks of, Mr. Cheney was dangerously ill at his home in Orlando, and for weeks it was daily expected by his friends to see a notice of his death in the newspapers. Mr. Russell, when he penned his vile insinuation relative to Mr. Cheney, either knew this fact or could easily have ascertained it. If he knew the fact and made the insinuation that Cheney was shirking his duty, let honorable men judge of his character. If he did not know the fact, but could have ascertained the truth, and made no inquiry, but thus recklessly reflected upon the character of Mr. Cheney, again I say, let honorable men judge of his (Russell's) character.

While in Jacksonville, Mr. Russell and his assistant, Mrs. Quackenbos, who, I understand, is now and has been for some time past a special assistant attorney-general of the United States, had entire charge of these alleged cases of peonage. They tried at least two alleged peonage cases in the Federal court at Jacksonville. Mr. O'Hara, a gentleman of high standing and character in that city, and I do not hesitate to say in this presence that notwithstanding his indictment for peonage he is a gentleman, the latchet of whose shoes this assistant attorney-general is not worthy to loosen. He tried O'Hara upon two indictments in the Federal court. The first trial took some two or three weeks, and O'Hara was acquitted by a jury of his country. Immediately, or within a few days, O'Hara was put upon trial in the Federal court by Russell and Quackenbos upon a second indictment, and after two or three weeks of another trial, before another and a different jury, another verdict of not guilty was promptly returned. This man Russell, in his secret report to the "big chief," in attempting to explain his failure to convict O'Hara, inveighs against the community, indulges in insinuations against the jurors, and makes the basest of attacks, by innuendo and insinuation, upon the character of all our people in that community. In this manner in that report he makes an attack upon Mr. Charles B. Rogers, who happened to be on the first jury that tried O'Hara, and, I believe, the foreman. Mr. Rogers is at the head of one of the largest business institutions in the State of Florida. His name is known and honored in the financial centers of this country. By his own efforts, from a poor, friendless orphan, his father having given his life to the "lost cause," he has risen to a proud eminence in the commercial world, and his word is as good as the bond of any man anywhere. No man who has the honor of the acquaintance of Charles B. Rogers would believe him guilty of a dishonorable act, such as the violation of his oath as a juror, if ten thousand Russells and Quackenboses should make affidavit thereto. In addition to his attack upon Mr. Rogers, he attacks the newspapers of the State; he attacks particularly the East Coast Railroad of Florida and its owner, Mr. Flagler. In fact, this man in his reckless desire to earn office in a Republican Administration, he being "a southern man and a Democrat," attacks everybody and anybody in this secret report, if such attack may tend to bring a smile of approval to the countenance of our alleged product of transplanted royalty.

I want to say that the court in which the O'Hara cases were tried was presided over by Judge James W. Locke, a northern man. If the jurors had so flagrantly violated their oaths in the acquittal of O'Hara as this man intimates in his secret report, Judge Locke, as an honorable judge, would not only have discharged them from that case, but would have discharged them from the term of court.

Having had the pleasure to be closely associated with Judge Locke for some years, I can truthfully say that I know him

well. I want to say in this presence and to all the world that there is no man from Maine to the Philippine Islands, wherever the Stars and Stripes float, who is more beloved, more respected, and more honored by the people among whom he lives and where his judicial labors are performed than is Judge James W. Locke. No man in all this Union wears the ermine with more of honor and of credit than does he. No man need fear injustice in his court. But take this defendant, O'Hara: Mr. O'Hara is not a rich man, yet he was forced to expend thousands of dollars in defending himself from charges which two successive juries, composed of intelligent, honorable men, after long and patient investigations, and under their oaths, declared to be groundless. This man has no redress. These people have used the machinery of the courts to almost ruin him financially, and, although entirely innocent, he is perfectly helpless, and must simply "pocket his losses." Gentlemen must agree with me that it is an awful condition of affairs when the unoffending citizen can be dragged from his labors at the behest of people like Russell and Mrs. Quackenbos, be subjected to the ignominy of indictment and trial, at enormous expense of both time and money, on groundless charges, and upon acquittal find himself helpless in the matter of redress.

But bad as was the treatment of O'Hara, he could vindicate himself before a jury of his peers, and did do so. If an indictment were preferred in a court against all of the people of Florida we would not be asking for this investigation, because a forum would be furnished in which we could seek vindication. But as this can not be done, and as these people have preferred an indictment against us before the "bar of public opinion," we plead "not guilty" and demand a trial before the only tribunal open to us—a body of honorable men charged with the duty and empowered with the authority to seek the truth.

I am appealing to my colleagues, and I know I voice the wish of the entire Florida delegation in both branches of the Congress, to give our people the opportunity to meet, before an impartial and honest body of investigators, the maligners of the fair name of Florida, and there, face to face, let "the truth, the whole truth, and nothing but the truth," be fully developed. [Applause.]

Mr. WILLIAMS. I now yield the remaining two minutes of my time to the gentleman from Pennsylvania [Mr. OLMSTED].

Mr. OLMSTED. Mr. Speaker, from certain matters which have come within the range of my own observation I am convinced that, originating I know not where, there is an organized effort to prevent immigrants from moving into or staying in certain Southern States, particularly Louisiana and Mississippi. A prominent contractor who had built hundreds of miles of railroad in Pennsylvania, himself an Italian, a very reputable and responsible man, obtained the contract for building a railroad in Mississippi and Louisiana. He went himself upon the ground and reported that he found it particularly adapted to settlement by his fellow-countrymen, both as to climate and soil conditions. He said he would take them there and was satisfied that they would never come away; that they would find it such a desirable locality in which to build their homes that they would remain there. He took 300 or 400 of them down there and at first they were delighted; but they had not been ten days before there were emissaries among them spreading all manner of reports as to labor conditions in which they were likely to find themselves involved, and it was not thirty days—

Mr. WILLIAMS. And they threatened them with yellow fever, too.

Mr. OLMSTED. Yellow fever and cholera and all sorts of diseases. Another Pennsylvanian engaged there in the lumber works found that whenever he engaged an Italian there was the same influence at work to get him out of that country. Now, I know nothing of any condition of peonage there among immigrants; I doubt if it will be found to exist; but I do believe that in view of conditions that do exist having a tendency to prevent immigrants from settling in those States, an investigation ought to be had, and I hope that the resolution will pass.

Mr. HARDWICK. Mr. Speaker, I do not care particularly about this resolution in its present form. I objected to it last week principally because it had the word "southern" in it. I am opposed to any investigation that, on its face, in terms, is professedly and admittedly sectional.

I was delighted this morning to hear the gentleman from Mississippi [Mr. WILLIAMS] explain, for himself and the Committee on Rules, that the word "southern" was inadvertently put into the resolution. I am glad to know that it is now withdrawn, and that the proposition is now in its present form. But, Mr. Speaker, this resolution is entirely unnecessary. Under the provisions of the act of February 20, 1907, the Immigration

Commission has now full authority of law to investigate immigration conditions all over this country, and this request from one House to the Commission established by both Houses of Congress is entirely unnecessary. They already have the authority under the provisions of this act of 1907 to make this investigation, and they are already engaged in the work.

Now, Mr. Speaker, it seems to me that when the Immigration Commission is operating under the law passed by both Houses of Congress and approved by the President, it is entirely unnecessary and wholly undignified for this House to request of the Commission something that it can already do under existing law; something that it is directed to do, as I understand it, by the act of February 20, 1907. Therefore, without caring particularly about the result of this motion to suspend the rules and pass the resolution, I do say that it is an entirely undignified proceeding, and that there is no necessity whatever for the passage of the resolution.

Mr. GARRETT. Will the gentleman yield?

Mr. HARDWICK. I will yield to the gentleman from Tennessee.

Mr. GARRETT. I want to suggest to the gentleman—I do not know what it is worth, and I have no particular objection to the resolution as it now stands—but I want to suggest to him and to the House, that notwithstanding the word "Southern" has been stricken out, yet the definition of the industries here leave it so that it is confined entirely to the Southern States.

Mr. HARDWICK. I think so, and I want to say that another reason why I object is because I know, that so far as the State that I represent in part on this floor is concerned, we feel that we need neither certificate of character nor bill of health from this Industrial Commission.

The SPEAKER. The question is on suspending the rules and passing the resolution as amended.

The question was taken, and, on a division (demanded by Mr. HARDWICK), there were—yeas 163, nays 35.

So two-thirds having voted in favor thereof, the rules were suspended and the resolution was agreed to.

COMMITTEE ON EXPENDITURES IN THE POST-OFFICE DEPARTMENT.

Mr. WANGER. Mr. Speaker, I ask unanimous consent, for the present consideration of the following resolution.

The Clerk read as follows:

Resolved, That authority be, and hereby is, granted to the Committee on Expenditures in the Post-Office Department to have such printing and binding done as may be deemed necessary in the transaction of its business.

The resolution was agreed to.

AMENDING IMMIGRATION LAW RELATING TO DEPORTATION OF ALIENS.

Mr. BENNET of New York. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 13079) to amend section 21 of the immigration law.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 21 of the act entitled "An act to regulate the immigration of aliens into the United States," approved February 20, 1907, is hereby amended by adding at the end thereof the following:

"Provided further, That any alien who is now under sentence because of conviction in this country of a felony, or who may be hereafter convicted of a felony, shall, at the expiration of his sentence, be taken into custody and returned to the country whence he came in the manner provided by section 20 of this act."

SEC. 2. That section 21 of the said act, as so amended, is hereby reenacted.

Mr. SULZER. Mr. Speaker, I would like to ask the gentleman for some explanation.

Mr. MANN. I demand a second.

Mr. BENNET of New York. I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The gentleman from New York [Mr. BENNET] is entitled to twenty minutes and the gentleman from Illinois [Mr. MANN] to twenty minutes.

Mr. BENNET of New York. Mr. Speaker, this bill provides that an alien now under conviction and sentence because of a felony committed in this country and any alien who is hereafter convicted and sentenced for a felony shall, at the expiration of that sentence, be taken into custody, as provided in other sections as to the machinery, and deported to the country from whence he came. The reason for it is brief.

In my judgment we have room in this country for every desirable immigrant, but when the immigrant accepts our hospitality and abuses it by committing felonies, he ought at the expiration of his term to go back to the country whence he came. My idea is that the bill, if enacted, will not only deport from

our country a number of criminals that we can well afford to lose, but it will deter aliens from committing crimes in this country.

Mr. SULZER. Mr. Speaker, will the gentleman yield for a question?

Mr. BENNET of New York. I yield.

Mr. SULZER. Mr. Speaker, I wish to ask the gentleman from New York if this bill, if it became a law, would deport an alien who had declared his intention to become a citizen, and who subsequently committed a crime?

Mr. BENNET of New York. It would.

Mr. HUGHES of New Jersey. Does the gentleman mean a crime or a felony? Does the gentleman make any distinction between a crime and a felony?

Mr. BENNET of New York. Yes; this only applies to men who commit felonies.

Mr. DRISCOLL. I suppose that applies to all cases where either men or women are convicted of felonies in the courts of the several States.

Mr. BENNET of New York. Yes.

Mr. DRISCOLL. Are the laws uniform in all the States so as to determine what is a felony?

Mr. BENNET of New York. Mr. Speaker, they are not, any more than they are uniform abroad, but we already provide that the man who abroad has been convicted of a felony, although the laws there may differ, shall be barred out, and I see no reason why he should attempt to enter into a distinction between the laws of the various States. They are not very important. Felony is a crime of a high grade and a misdemeanor is a crime of a lower grade.

Mr. DRISCOLL. In other words, this law can not be applied and enforced uniformly all over this country, because of the fact that the laws determining what felonies are are not uniform in the several States.

Mr. BENNET of New York. It can be enforced uniformly, because it will be enforced against any man in any State under the interpretation that that State itself has placed on the word "felony."

Mr. DRISCOLL. For instance, one State may call a certain act a felony, which another State may call only a misdemeanor.

Mr. BENNET of New York. Exactly.

Mr. DRISCOLL. And therefore, of course, the application of this law imposing a punishment under it—because it is a punishment to deport a man—can not be uniform.

Mr. BENNET of New York. The reasons for deportations will, as my colleague says, differ in the different States, truly.

Mr. DRISCOLL. The idea and principle contained in this bill are sound and right. This is the land of promise and opportunity, of freedom and equality before the law. But it is not a land for lawlessness or license. Foreigners should understand they must behave themselves and obey the law. American citizenship is a great privilege and should be more fully appreciated than it is by some. But this bill should be amended in some respects. It should be uniform in its application to all immigrants in whatever State they may be when they are convicted of the crimes for which they are deported. Does not the gentleman think so?

Mr. BENNET of New York. My answer to that is that when a State has enacted that a certain act within its borders is a felony, the Government of the United States ought to respect the act of that State to the extent of deporting a criminal who comes within that law.

Mr. SULZER. Mr. Speaker, just one other question, in line with the question I formerly asked the gentleman. It is this: Does or does not an alien acquire some rights, or a legal status, by reason of his declaration of intention to become a citizen?

Mr. BENNET of New York. He acquires just this much, that on application to the State Department he can receive a passport to go back to any country except his own. He can, in the State of Indiana and, I believe, four other States, vote after six months' residence, and he can, in any State where there is public land, file a homestead entry.

Mr. SULZER. And he can take up mining claims.

Mr. BENNET of New York. Yes.

Mr. CRUMPACKER. Does he not renounce his allegiance to his former foreign sovereign, so that he has no nation?

Mr. SULZER. There is no question about that.

Mr. CRUMPACKER. He renounces his allegiance to his former sovereign, so that he is a man without a country. Where would you send him then?

Mr. BENNET of New York. We would send him back to the country whence he came.

Mr. CRUMPACKER. Then the gentleman would make a penal colony out of a foreign country?

Mr. BURLERSON. Who is to pay the cost of the deportation?

Mr. BENNET of New York. The immigrant fund.

Mr. MADDEN. In the declaration which the immigrant makes of his intent to become a citizen does not he swear allegiance to this country?

Mr. BENNET of New York. He does not.

Mr. MADDEN. Well, does not he renounce allegiance to his country?

Mr. BENNET of New York. He renounces allegiance to his own country and gives notice that some time in the future, after he has been here five years, he will take the oath of allegiance to our country.

Mr. MADDEN. To what country does he belong when he makes that declaration?

Mr. BENNET of New York. That question has troubled our State Department and the chancelleries of Europe for some time and it depends largely upon the laws of the different countries.

Mr. MADDEN. In the face of that condition then what would you consider him, an alien?

Mr. BENNET of New York. An alien.

Mr. MADDEN. Just how does he get the rights you describe in the various States?

Mr. BENNET of New York. They are given to him by our laws and State laws.

Mr. GAINES of West Virginia. They are not right; they are privileges.

Mr. BENNET of New York. The gentleman from West Virginia very properly calls my attention to the fact that they are not rights; that they are privileges.

Mr. SULZER. Mr. Speaker, just another question, and it is this: Suppose an alien came to this country, declares his intention to become a citizen, marries an American woman, has a number of children, and after he has been here four years, we will say, or four years and a half, he commits a felony and is sent to prison and at the expiration of his term he is deported. Now, what is to become of his children and what is to become of his wife? Where do they go, and what is to become of them?

Mr. BENNET of New York. What became of them the time he was in jail?

Mr. SULZER. They would stay here, of course.

Mr. BENNET of New York. Then, they would stay here after he got out.

Mr. SULZER. Who is to support them after he is deported?

Mr. BENNET of New York. The same people who are supporting them when he came out of jail; when as a criminal he commits some other criminal act, as 90 per cent of the criminals do who come—

Mr. SULZER. Then, you intend to separate these families forever. In my opinion this bill presents several very serious aspects, to say nothing about its doubtful constitutionality.

Mr. BENNET of New York. I do not; he does. He does it by his act.

Mr. SULZER. No; it is to be done by this law.

Mr. COOPER of Wisconsin. May I ask the gentleman a question? Suppose this felony committed by an alien was a murder and under the statute he was to be hung?

Mr. BENNET of New York. At the expiration of his term, if the warrant could get him, he would be sent back.

Mr. COOPER of Wisconsin. Then your resolution ought to be amended to provide for cases in which the death penalty is to be inflicted.

Mr. BENNET of New York. I have thought that out very thoroughly, and I will say to the gentleman from Wisconsin it does not seem worth while to make the exception, because if some party goes where the warrant could not operate because he would not be there—

Mr. COOPER of Wisconsin. Will the gentleman allow me to ask him one more question?

Mr. BENNET of New York. Certainly.

Mr. COOPER of Wisconsin. What provision of law is there to-day for the deportation of a convict coming here from a foreign country who is pardoned in that country upon the condition that he leave it?

Mr. BENNET of New York. Any criminal who comes to this country, if he gets through our barriers in the first instance, can be deported at any time within three years and sent back to the country from whence he comes.

Mr. COOPER of Wisconsin. Will the gentleman permit me to state an instance which came under my observation in the city of Chicago? A number of years ago I went to call on a friend, a former classmate, who was engaged in a criminal

trial in the city of Chicago. The defendant, Frank Mulkowski, a swarthy fellow about 40 years of age, was on the witness stand when I entered the court room. He was charged with killing and robbing a woman by the name of Agnes Klietzie, in whose home he boarded. The prosecution had a record from Europe showing that when he was 18 years of age across the water he had killed a man for the purpose of robbery, for which crime he had received a life sentence. After serving twenty years or more he had been pardoned on condition that he leave that country. On leaving prison he came to the United States and after being here only about six months had killed this woman for purpose of robbery. For this murder he was hung. In his case there must have been something exceedingly lax in the administration of our immigration laws.

Mr. BENNET of New York. If I had the time I could explain four different ways in which they might get into this country without reflecting in any degree upon our administration on our shores. But I want to say to the gentleman from Wisconsin [Mr. COOPER] and to the House that this is one of the objects of this bill, so that the criminals abroad will not have, as I find that some of them do have, as I am told by chiefs of police in foreign countries they do have, the idea that this is an asylum of refuge for criminals. It is not and ought not to be, and if you pass this law it will deter the criminal class from coming. As everybody in this House knows, I am in favor of sound, decent, able-bodied, and moral immigrants coming, and one of the best ways to protect them here and in coming is to provide that the criminal and vicious shall be both barred.

Mr. HUGHES of New Jersey. Will the gentleman yield?

Mr. BENNET of New York. Certainly.

Mr. HUGHES of New Jersey. As I heard the reading of this act it provides only for felonies?

Mr. BENNET of New York. Yes.

Mr. HUGHES of New Jersey. The crimes act in my State, as I remember it, makes no practical recognition of felony in terms. It classifies crimes as misdemeanors and high misdemeanors. I want to say that I believe my community would be very much benefited by the passage of this law, and I would not want my community to be barred from taking advantage of the provisions of the act by reason of the fact that it was not concisely and properly stated.

Mr. BENNET of New York. I will say to the gentleman, if his recollection is correct and the bill passes this House, I will be very glad to go with him to the Senate committee and see that we put his criminals in the bill.

Mr. SULZER. Suppose a governor should pardon a man.

Mr. BENNET of New York. Then the law would not act on him.

Mr. SULZER. He would be restored to all his rights, and hence could not be sent back.

Mr. BENNET of New York. Yes.

Mr. SULZER. There is nothing in your bill to that effect, however.

Mr. BENNET of New York. The pardon wipes out the conviction. This law only acts at the expiration of his sentence. Similarly it would not act on a man on whom sentence was suspended.

Mr. Speaker, how much time have I remaining?

The SPEAKER. The gentleman has occupied fourteen minutes, and he has six minutes remaining.

Mr. BENNET of New York. I reserve the balance of my time.

Mr. MANN. Mr. Speaker, I think there is considerable doubt about the desirability of this legislation. Let us take one or two cases, for instance. Many of the States have the parole system. Under the operation of this bill any man who, in the heat of passion or under stress of circumstances, may have committed some crime for which he is sentenced to the penitentiary, comes out on parole, endeavors to be a good citizen, and his sentence has not yet expired. Perhaps he marries; perhaps he does not know this law. I have even seen Members of Congress who did not know all the laws. He may have children; but at the end of his term of service—without trial, without investigation so far as his rights are concerned—he is seized by the officers of the law and taken into a foreign country. Take the particular case and present it to this House and there is not a man here who would vote to deport such a person.

Now, this bill is not designed to prevent criminals coming to this country. It is designed to add punishment after the sentence of the law has been complied with. I have always been taught to believe that when a man has paid the penalty provided by the law for his crime that, so far as the State was concerned, he stood on an even footing. Here is a proposition

to add an additional penalty—not merely take away that which the law takes away from you or me or other citizens, but to add to his penalty. In other words, to make a crime committed by an alien subject to greater penalties than a crime committed by a citizen.

Mr. DRISCOLL. Will the gentleman yield for a question?

Mr. MANN. Certainly.

Mr. DRISCOLL. Does not the gentleman think that the courts would be apt to consider the fact that he would be deported after the expiration of his imprisonment in imposing a sentence, and does not the gentleman think really that some courts might make it very short in order to get rid of him? I do not know but it might be as well to make the sentence very short and avoid the expense.

Mr. MANN. It may be, for aught I know, that in the State of New York the judges consider these matters in giving sentences.

Mr. DRISCOLL. They consider all things and all matters.

Mr. MANN. And it so happens in a majority of the States that the judges do not determine the sentence in felony cases. It is left to the jury in most cases, and the jury would have no knowledge in reference to this law—

Mr. OLMSTED. Will the gentleman yield to me?

Mr. MANN (continuing). It would be error to instruct the jury under such a law as this—plainly and clearly error. Now I yield to the gentleman from Pennsylvania.

Mr. OLMSTED. This resolution provides that at the expiration of his sentence he shall be returned. Now, in Pennsylvania we have a custom of allowing a certain commutation for good behavior in prison, so that a man sentenced for four years might get out three months short of that time. Is the gentleman sure, and can anybody be sure, that under this bill as it now reads, he could be deported under these circumstances?

Mr. MANN. I do not know; no one can answer any question with authority on law. So far as the terms of this resolution provides, it would take the opinion of a court, and a man who had been hanged could be taken back from the country from which he came. Whether that would be executed I suppose would depend upon the diligence and desire of the Commissioner of Immigration, because all officers do not obey the letter of the law, in spite of what it says. I have seen no demand for the passage of a law like this and no reason given for it. We have just passed the immigration act. The immigration and naturalization act has just gone into effect. Why, now, should we be endeavoring to add more penalties before the law we have recently enacted has well gone into effect?

I know the horror that men have of having criminals brought to the country. Why, two-thirds—sometimes three-fourths—of the crimes committed in the country are not committed by habitual criminals at all. Nor do I think we ought to take the right to say that we will permit a man to come here, accept his renunciation of allegiance to a foreign potentate, grant to him the homestead privilege and other privileges, that we permit him to marry, permit him to have children in the country, and permit him to be taken away as an additional penalty for a crime he may have committed, at the expense not of himself alone, but at the expense also of those who are dependent on him.

Mr. RUSSELL of Missouri. Will the gentleman permit me to ask him a question?

Mr. MANN. Certainly.

Mr. RUSSELL of Missouri. I would like to ask if it is not often the case that where a man is convicted of a felony, after he has been confined some time, the governor grants him a pardon? In these cases under this bill would not that man be deported?

Mr. MANN. I suppose that he would be deported, whether pardoned or not; I do not know, and nobody knows. Now I yield to my colleague from Illinois [Mr. SABATH].

Mr. SABATH. Mr. Speaker, the gentleman from New York [Mr. BENNET] would have this House believe that this bill applies to criminals whom, as he says, we can well afford to lose. He would also have it understood that felony signifies a crime of high degree, and he would impress us to the effect that this bill intends only the deportation of persons guilty of high crimes. If this were true, I should not object to the passage of this bill. But had the gentleman taken my advice and accepted the amendment which I suggested to him, namely, that the provision of this bill should apply only to such crimes as are made felonies by the United States Statutes, or clearly set out the crimes, causes, and conditions for and under which such alien shall be deported, then the bill should have my unqualified support, for I approve and acquiesce in its underlying principle.

On the face there is nothing alarming about this bill, for the language employed is perfectly simple. Yet, notwithstanding

its guileless phraseology, it comes dangerously near being a "wolf in sheep's clothing," because its terms are misleading.

In order that I may not be misunderstood, I want to impress upon you from the very outset that I am unalterably opposed to any crime or offense, and I hold that all malefactors, transgressors, and violators of law, whether rich or poor, high or low, should have such lawful punishment meted out to them as is commensurate with their evil doings. I am proud to be able to point to my record of twelve years on the bench in one of the busiest, most trying, and most cosmopolitan courts in the world in proof of my assertion. Much, however, as I am opposed to disobedience to and disregard of the precepts of society—the law—I am equally opposed to any and all unjust and unfair laws, and to cruel, inhuman, and barbarous penalties. Far be it from me to set myself in opposition to any law conducive to the betterment of conditions or to the preservation of the safety of the people of the United States. Just as far be it from me to be silent when I apprehend that that safety is endangered by ill-advised legislation. The interests of our country and the welfare of our people are as near and dear to my heart as to that of any Member of this House. [Applause.]

Now, I do not question in the least the sincerity and honesty of purpose of the gentleman from New York who introduced and who is now urging the passage of this bill. I firmly believe that he failed to realize the far-reaching effect its passage would have and the awful cruelties and injustice it would work. For fear that you may not have grasped the importance and ultimate effect of this bill I shall read it to you:

A bill to amend section 21 of the immigration law.

Be it enacted, etc. That section 21 of the act entitled "An act to regulate the immigration of aliens into the United States," approved February 20, 1907, is hereby amended by adding at the end thereof the following:

"Provided further, That any alien who is now under sentence because of conviction in this country of a felony, or who may be hereafter convicted of a felony, shall, at the expiration of his sentence, be taken into custody and returned to the country whence he came in the manner provided by section 20 of this act."

SEC. 2. That section 21 of the said act, as so amended, is hereby reenacted.

Now, what is a felony? Bishop and other authorities say that felonies in this country are generally held to be offenses or crimes punishable by death or imprisonment in the penitentiary. The greatest authorities on criminal jurisprudence say that a felony is so generally associated with the idea of capital punishment that it is hard to separate the two. The distinction between felonies and misdemeanors corresponds roughly to that between grave offenses and such as are less heinous in character. In most of the States the distinction between felony and misdemeanor has been abolished by statutory enactment, an example likely to be followed more widely in the near future. To this question I now invite your special attention.

Felony, as will have been noticed, has been universally accepted as, and construed to mean, a grave, infamous, and atrocious crime punishable by death. But at the present time nearly every offense punishable with imprisonment in the State prison or penitentiary is a felony. In nearly all the States imprisonment in the penitentiary has been made the penalty for almost all misdemeanors, thereby transforming them into felonies. No one will deny the fact that many felonies of to-day were looked upon as minor offenses only in former times, in times known to us as days of barbarism, when corporal torture was a favorite punishment. In some of our States the stealing of a lamb, a chicken, a chunk of coal, a loaf of bread, or anything, no matter how insignificant, the selling of liquor, playing cards, or wagering on a horse race are made felonies.

Have you considered the cruelty of the punishment which this bill, if passed, would inflict upon an unfortunate alien who may be guilty of some minor offense for which the statutory penalty would be imprisonment in the penitentiary? Have you considered the case of an alien, perhaps a sober, industrious working man, stricken down by some illness long drawn out? His savings from his hard-earned wages have become exhausted, his credit cut off; misery knocks at his door; there is no way to provide for the dire necessities of his family which thus finds itself on the verge of starvation. Perhaps he makes use of money intrusted to him or, let us call it by the uglier name of stealing, yet honestly intending to replace the money he has taken as soon as he is able to earn it. He is detected, called upon to make restitution, and is unable to do so. He is guilty of embezzlement, perhaps of grand larceny; both felonies in every State. To such a man scant mercy is shown in a court of justice; the very fact that he is an alien is a circumstance that weighs against him. He is convicted, sentenced, sent to prison. The family is fatherless and without a provider. In the midst of all the trials and tribulations to which it is subjected it struggles along bravely, hoping for the day that the husband and

father will return and take from them the burden they now carry when the prison doors shall have opened for him. Eagerly, anxiously, impatiently do they bide this time. At last the day comes when the term of his imprisonment has expired; the day to which he and his loved ones have looked forward for the reunion after months, perhaps years, of separation. Behold, the law steps in and, horrible dictu, tells him that he is a felon, that he must be deported, that the law will tear him away from wife and children, leaving them to the mercies of a rude world. Can you imagine the heartrending scene which then ensues? The state erects a barrier between him and those nearest and dearest to him. What is to become of them? Friendless, the wife and children of a felon—a felon by the force of our unfair and unequal law, shunned by neighbors, unable to obtain work wherewith to earn a living, destitution staring them in the face. Who will provide for them? Who will so shape their affairs for them that the children may have the advantage of an education and grow up to become good citizens?

We cry out against pauperism. We bring to bear all the ingenuity of philanthropy to lessen its evils and to deplete its army. Yet, in the instance I have cited, we make paupers of a family and surrender them without regard or compassion to all the misery that waits upon the condition of such as they. Truly, we make the innocent suffer for the guilty. Our laws provide against the abandonment of the wife by the husband, against the abandonment of the children by their father, against the failure on the part of the man to support those whom he has sworn to support. Yet, if this bill is passed, we bring about the very things which ordinarily we forbid. Think you that laws are just, that laws are righteous and fair which would so severely punish a man by imprisonment and subsequent deportation because he has stolen, perhaps, something of small value, the while we allow to go unpunished men who are guilty of stealing millions of the savings of the people, thereby causing unspeakable suffering and hardship. [Applause.] I do not mean that where an alien commits an illegal act the fact that he is an alien should condone or mitigate such illegal act. I believe that all aliens to whom we extend the advantages of civic liberty should conform with the legal as well as moral obligations which we as citizens owe our country.

In a recent speech before the New York State Bar Association, having for his subject "Centralization by Construction and Interpretation of the Constitution," Judge J. M. Dickinson is quoted as having branded Congress, both the House and Senate, with ignorance and charged them with disregard of the constitutionality of bills brought before their august body for consideration and execution. He is said to have pointed out that it was the tendency on the part of men in both Houses to yield to the popular clamor and vote for bills which on their face were of doubtful constitutionality. I for one shall not go on record as being in favor of an unconstitutional bill, and I trust that none of you gentlemen will. Our Constitution is the foundation of our laws, and it must be upheld in any and all events. If there is a bill which appears to me to be unconstitutional, I feel it my duty to point it out and insist upon its being made constitutional, if possible.

And the mere fact that a bill may be a popular one, tending to appease the temporary clamor of some people, will not in any way influence me in the least if I believe that the same is unfair, unjust, or unconstitutional.

I am quite satisfied that this bill, besides being essentially cruel in its effects, is also clearly unconstitutional. It conflicts with section 9 of Article I of the Constitution, which provides that "no bill of attainder or ex post facto law shall be passed." The bill provides that "any alien who is now under sentence because of conviction of a felony shall at the expiration of his sentence be taken into custody and returned to the country whence he came." Bishop, in his work on Criminal Law, says:

An ex post facto law may, with reasonable precision, be defined to be one making punishable what was innocent when done, or subjecting the doer to a heavier penalty or burden than was then provided.

The bill is also in contravention of Article VIII, which provides that "excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishment inflicted." Surely the deportation and separation forever from those nearest and dearest to him of a person for any minor offense which we constitute or call a felony is so cruel and unusual a punishment as to come clearly within the purview of this article of the Federal Constitution.

The bill is further in contravention of Article XIV, section 1, which provides as follows:

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the

United States; nor shall any State deprive any person of life, liberty, or property without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws.

In so far as this section deals with the rights and privileges of citizens of the United States, it does not of course apply to the case under consideration. But it is to be noted that the section makes a distinction as to citizens of the United States and "persons" within the jurisdiction of the United States. To such "persons" this section of the Constitution guarantees "the equal protection of the laws." Equal with what, or with whom? Evidently the protection of the law is to be vouchsafed equally to citizens and to "persons" not citizens of the United States. Now, sir, this bill, I submit, is clearly in violation of the terms of the section I have just quoted, in that it does discriminate against "persons" not citizens but within the jurisdiction of the United States. It fails to accord to these "persons" the equal protection of the laws, or, more correctly stated, it deprives them of the same. A citizen of the United States, having suffered imprisonment for a given offense, could not be deported; a "person," not a citizen of the United States, having suffered such imprisonment should not be subjected to further punishment without due process of law. This bill, if passed, would cause that to be done, and would thus be in violation of Article V of the amendments to the Constitution, which provides that no "person be subject for the same offense to be twice put in jeopardy of life or limb; * * * nor be deprived of life, liberty, or property without due process of law." I am thus careful, Mr. Speaker, to quote these provisions of the Constitution in order that I may warn the House not to commit itself to a measure which would violate it in more particulars than one, and which, I firmly believe, would not stand the tests of the courts. There is another aspect of this case which it occurs to me to urge upon the consideration of this House, and that is that most of our treaties with foreign powers provide "that the citizens of either country shall in all cases enjoy the same security and protection as the natives of the country in which they reside, on condition that they submit to the laws, decrees, and ordinances there prevailing." I invite attention to the fact that an alien who for some offense may have undergone a term of imprisonment in the United States, may upon termination of such imprisonment have the best intention to submit to the laws, decrees, and ordinances prevailing in the United States, and having by his imprisonment satisfied the law of the land for the offense which he committed, he is entitled, in accordance with the treaty provisions I have quoted, to the same security and protection as the natives of the country. Again, Mr. Speaker, I desire to emphasize the fact that I have no sympathy with violators of law, no matter whence they hail or what may be the nature of their offense, but I must confess that my sense of justice will not permit me to stand by idly and see an injustice perpetrated where justice only should be done.

In this connection permit me to read an excerpt from a speech delivered by the Hon. William H. Taft, Secretary of War, and prospective candidate for President, at the annual dinner of the Brooklyn Bar Association, at the Union League Club in Brooklyn, last Saturday. He said: "Certainly Congress ought to take some steps directly authorizing the Executive to use the forces at his command to protect the treaty rights of such aliens, and ought to vest the courts of the United States with power to punish the person who would violate such alien rights." But he should not have stopped there; he should also have said that the Congress should insist upon the enforcement by the Secretary of State of our treaties with those foreign countries which are violating those treaties by refusing to honor the passports of the United States, as the "Goldfogle resolution," passed in the Fifty-eighth Congress, requested and instructed him to do. [Applause.]

Let us pass for the moment from the contemplation of the unconstitutional features of this bill, and view it from the wholly humanitarian and rational standpoint. A law which contemplates vengeance is void ab initio, because the very reason and purpose of inflicting punishment for the transgression of the law is to instill respect for it and to prevent a repetition of the offense. Its further object and purpose is to reform and uplift the offender morally and to aid him to become a useful member of society. Its object is not to cast him into gloom and misery; nor to exhibit him as an object of scorn, or as a leper in a healthy community, despised by all, and finally compel him to go to his grave with the indelible brand of shame and degradation. On the contrary, sir, the object of all law, especially criminal law, is not only to inflict punishment, not only to protect society against the evil-doer, but its highest and noblest purpose is to restore the transgressor to normal conditions of right-doing and to open up again to him the honorable

paths of an honorable life. [Applause.] Let our love for liberty and humane treatment guide us aright and away from the course of blind and indiscriminate severity. Let our judgment be tempered with mercy. [Applause.] Let us remember that—

The greatest attribute of heaven is mercy;
And 'tis the crown of justice and the glory.

Mr. Speaker, I take it that the people of the United States can, through their Government, suppress crime, so far as crime can be suppressed, and can punish it so far as it ought to be punished without incurring the danger of going beyond the lines of demarcation between the vengeance of the law and revenge. Because of the misdeeds of some aliens who thereby proclaim themselves almost outcasts from society, we should not seek to encompass retribution by the enactment of laws that bear with equal severity upon the totally depraved and those who for a moment only have strayed from the straight and narrow path of right. We should not place ourselves in the same position with a country where brute power is the law of the land. A country that is governed by moral lepers and physical cowards, the soldiery of which is utterly destitute of human feeling and wholly without mercy; where justice and honesty are unknown and bribery reigns; where the natural rights of humanity are totally disregarded. A country that encourages, yes, instigates savage massacres, where mothers and daughters are subjected to criminal outrages of the beastly Cossacks; where innocent babes are torn from the breasts of helpless and defenseless mothers and slaughtered; where children are deprived of their inalienable right to self-improvement and knowledge; where the suppression of education is of great use to the autocracy—ignorance being the best safeguard of loyalty. A country of insecurity, perpetual inconstancy, and inequality, where the most deplorable venality reigns. A country which imprisons men and women in dungeons, there to rot and never to be heard from again, or whence they are deported, banished, and exiled to the horrors of hellish Siberia, because they are pleading for personal rights, liberty, and humanity.

Be it to the indelible and everlasting shame of Russia, where these atrocities are committed and it is that Government which is responsible for the growth and breeding of anarchy.

I have no compassion or charity for the doctrine of anarchism, nor for its followers, nor for criminals, whether they be aliens or citizens of the United States; they should be dealt with sternly and promptly.

But, Mr. Speaker, let us not, while seeking to do justice to society in general, do that which in the last analysis is unjust. Because an alien may have committed a minor offense which for the time being has subjected him to punishment, let us not for that reason only put him in the same class with those other aliens the sole object and purpose of whose being is to do evil, who would overturn the very foundations of society and bring chaos where order now reigns; and against the latter our laws give us ample protection. The act to regulate immigration passed by the last Congress contains, among others, the following provisions:

SEC. 2. That the following classes of aliens shall be excluded from admission into the United States: All idiots, imbeciles, feeble-minded persons, epileptics, insane persons, and persons who have been insane within five years previous; persons who have had two or more attacks of insanity at any time previously; paupers; persons likely to become a public charge; professional beggars; persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease; persons not comprehended within any of the foregoing excluded classes who are found to be and are certified by the examining surgeon as being mentally or physically defective, such mental or physical defect being of a nature which may affect the ability of such alien to earn a living; persons who have been convicted of or admit having committed a felony or other crime or misdemeanor involving moral turpitude; polygamists, or persons who admit their belief in the practice of polygamy, anarchists, or persons who believe in or advocate the overthrow by force or violence of the Government of the United States, or of all government, or of all forms of law, or the assassination of public officials; prostitutes, or women or girls coming into the United States for the purpose of prostitution or for any other immoral purpose.

SEC. 19. That all aliens brought to this country in violation of law shall, if practicable, be immediately sent back to the country whence they respectively came on the vessels bringing them. The cost of their maintenance while on land, as well as the expense of the return of such aliens, shall be borne by the owner or owners of the vessels on which they respectively came; and if any master, person in charge, agent, owner, or consignee of any such vessel shall refuse to receive back on board thereof, or on board of any other vessel owned or operated by the same interests, such aliens, or shall fail to detain them thereon, or shall refuse or fail to return them to the foreign port from which they came, or to pay the cost of their maintenance while on land, or shall make any charge for the return of any such alien, or shall take any security from him for the payment of such charge, such master, person in charge, agent, owner, or consignee shall be deemed guilty of a misdemeanor and shall, on conviction, be punished by a fine of not less than \$300 for each and every such offense; and no vessel shall have clearance from any port of the United States while any such fine is unpaid.

SEC. 21. That in case the Secretary of Commerce and Labor shall be satisfied that an alien has been found in the United States in violation of this act, or that an alien is subject to deportation under

the provisions of this act or of any law of the United States, he shall cause such alien within the period of three years after landing or entry therein to be taken into custody and returned to the country whence he came, as provided by section 20 of this act, and a failure or refusal on the part of the masters, agents, owners, or consignees of vessels to comply with the order of the Secretary of Commerce and Labor to take on board, guard safely, and return to the country whence he came any alien ordered to be deported under the provisions of this act shall be punished by the imposition of the penalties prescribed in section 19 of this act.

SEC. 38. That no person who disbelieves in or who is opposed to all organized government, or who is a member of or affiliated with any organization entertaining and teaching such disbelief in or opposition to all organized government, or who advocates or teaches the duty, necessity, or propriety of the unlawful assaulting or killing of any officer or officers, either of specific individuals or of officers generally, of the Government of the United States or of any other organized government, because of his or their official character, shall be permitted to enter the United States or any territory or place subject to the jurisdiction thereof. This section shall be enforced by the Secretary of Commerce and Labor under such rules and regulations as he shall prescribe. That any person who knowingly aids or assists any such person to enter the United States or any territory or place subject to the jurisdiction thereof, or who connives or conspires with any person or persons to allow, procure, or permit any such person to enter therein, except pursuant to such rules and regulations made by the Secretary of Commerce and Labor shall be fined not more than \$5,000, or imprisoned for not more than five years, or both.

Let us have laws that are humane, just, and fair. Let us not lay too heavy a hand upon an erring fellow-being who perhaps through want and misery was driven into committing an offense. [Applause.]

In behalf of thousands upon thousands of honest, upright, industrious, liberty-loving, and self-reliant people, who fled from lands of bigotry, oppression, and tyranny, many of whom sacrificed everything to erect on these hospitable shores the altars of religious and political liberty; who, like men everywhere, may err sometimes, may commit an offense which is branded as a felony—in behalf of all these I pray you to lay aside all prejudices which might interpose an obstacle to dealing with them as you would be dealt by, and which would prevent you from being guided by a righteous judgment by the higher and nobler principles of fairness, justice, and humanity. [Long and continued applause.]

Mr. MANN. I yield three minutes to the gentleman from Illinois [Mr. LOWDEN].

Mr. LOWDEN. Mr. Speaker, there is one phase of this resolution to which I desire to call the attention of the House. Under our policy aliens are welcomed to this country. We give them the protection of our laws, and if while they are under our jurisdiction, while they are without the protection of the country they have left, they commit a crime, then we say, after they have committed the crime, that we will deport them back to the country from which they came. Suppose that former country, they having renounced allegiance to that country, did not desire them back, when the only reason in the world for sending them back was for an offense committed on American soil. Would it not embroil us in all sorts of international complications with other countries?

There are certain countries which make it a crime for their citizens to emigrate to a foreign country. We welcome them, however, and under our law they are safe, while within our jurisdiction. But when we deport them, they having given up allegiance to their foreign country, as they have in certain cases, they are men without a country. In other words, we would deliberately deport them to the country of their birth, there to be punished for crimes which were not crimes in the eye of our law. I do not believe that any law which makes a distinction between an alien who has been welcomed here for anything he does while here and our own citizens native born is a safe distinction to make. [Applause.]

Mr. MANN. I yield to the gentleman from New York [Mr. GOLDFOGLE] three minutes.

Mr. GOLDFOGLE. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GOLDFOGLE. I desire to offer an amendment to the bill, which amendment I send to the Clerk's desk, and ask to have it read. Will it be in order now to offer an amendment to the bill?

The SPEAKER. The gentleman may have anything read that he desires in his own time, but the Chair fancies that the gentleman is possibly aware of the rule that under a motion to suspend the rules no amendment is in order.

Mr. GOLDFOGLE. I will ask to have my amendment read, which I proposed to offer.

The SPEAKER. It will be read in the time of the gentleman, as a part of his remarks.

The Clerk read as follows:

Add to the bill the following:
"Provided always, That such deportation shall not take place until thirty days after the service of the warrant issued by the Secretary of the Department of Commerce and Labor: And provided always, That the Secretary of the Department of Commerce and Labor may, if he

deems that the interests of the public will not be injured thereby, allow such convicted alien to remain in the United States, anything hereinbefore contained notwithstanding."

Mr. BENNET of New York. I make the point of order against the gentleman's amendment.

The SPEAKER. The gentleman's amendment is not in order under a motion to suspend the rules. It is read as a part of his remarks.

[Mr. GOLDFOGLE addressed the House. See Appendix.]

The SPEAKER. The gentleman from New York asks unanimous consent to extend his remarks in the Record. Is there objection?

There was no objection.

Mr. MANN. I now yield two minutes to the gentleman from Kentucky [Mr. SHERLEY].

Mr. SHERLEY. Mr. Speaker, I shall not undertake in the two minutes' time I have to discuss the constitutionality of this bill. I think myself any lawyer who examines it carefully will be convinced that there is one provision of it that makes it unconstitutional. But if it was absolutely constitutional, it is as unwise a piece of legislation as has ever been proposed to this House, in my judgment. The proposition is practically this: That the law shall put all proper safeguards around the admission of aliens—and that is right—and then the immigrant having passed these safeguards, and having been given the right to come into this country, and having given up his allegiance to the country from which he came, shall, if he subsequently be convicted of an offense declared to be a felony, and which may be a very immaterial offense, by virtue of that fact, be deported.

Now, it was well brought out by the gentleman from Illinois that we might declare he should be deported to the country from which he came without having it altogether in our power to carry out our declaration. Certainly if an American went to England, renounced his allegiance to this country, was guilty of an offense there, and England undertook to deport him to America, America might very well question the right of England so to do.

Mr. GOLDFOGLE. Will the gentleman yield?

Mr. SHERLEY. I will yield for a question.

Mr. GOLDFOGLE. And suppose, too, the country whence he came had in the meantime passed the statute forbidding his return, what then?

Mr. SHERLEY. The gentleman simply further illustrates the fact that this might create a condition in which a man is without a country. We do not proceed in this civilized age upon the assumption that a man who is convicted of a crime and who serves his penalty for having committed that crime is necessarily a person beyond the pale of the law or of civilization. There are hundreds of men who have been guilty of wrongdoing that subsequently became good and desirable citizens and residents of the community. And without any investigation, but simply upon the fact that he has been convicted of what may be a very ordinary offense, this bill requires that he be deported. It is a barbarous proposition and against every instinct of humanity and all fair dealing. [Applause.]

Mr. BENNET of New York. Mr. Speaker, I yield two minutes to my colleague [Mr. PERKINS].

Mr. PERKINS. Mr. Speaker, we are all agreed that nothing is more important for the welfare of this country than to get in a proper class of foreigners and keep out an improper class. The law provides that no foreigner shall be received into our citizenship if he has committed a felony in his own country. By what reasoning shall it be said that the man who commits a felony in Italy we will not take in, but the man who commits one in this land after he arrives here we will keep? Where is the distinction? Why is the one an unfit man that must be kept out from the fact that his crime was committed abroad, and the other is a fit man because his crime was committed here?

The objections offered by the gentleman from Illinois and the gentleman from Kentucky about international complications are not well taken. No nation has ever refused to receive back anybody that sought to come to these shores. International complications have arisen where people coming from a foreign land, having come here, have returned to their own country, and then their government said to them—

Mr. SHERLEY. But the gentleman has never had this sort of condition arise, where a man might stay here in America ten years under sentence, and then having been ten years from his own country, allegiance to which he has renounced to come here, is returned there.

Mr. PERKINS. But the man long before he had been here ten years would become a citizen.

Mr. SHERLEY. Not at all. Here is a man who is here for six months, we will say, and he is convicted of a felony, and he is put into a penitentiary and serves a ten-year sentence.

Mr. PERKINS. Let me suggest in reply to that that we are constantly sending back to these countries persons who, though they have landed, by reason of becoming a public charge or for other reasons are returned to their own country, and never has there been any international question or any trouble with any government receiving back on its own shores its own citizens, though they have come here with the desire of staying here and we have sent them back. The apprehension of any international troubles from sending back these men convicted of crime is without foundation. The only question is whether it is not good policy for our protection, for the protection of the others of the same nationality, that those among them who commit crime should be deported.

The SPEAKER. The time of the gentleman has expired.

Mr. BENNET of New York. I yield one more minute to the gentleman.

Mr. PERKINS. There is a large Italian population and most of them are eminently good citizens. A very small proportion are very bad citizens, who commit crimes. Those crimes are almost entirely at the expense of other Italian citizens. The demand comes up from the Italians themselves, from those who wish to become citizens, that those who are of their own nation who have come over with them and who are guilty of felonies should be separated from them and sent back to the land whence they came. Why should any gentleman be strenuous to keep in the midst of communities of well-behaved aliens who come here, as well as those of us who are already citizens, a class of criminals who commit crimes and are convicted of them, and whose further stay is detrimental alike to their own people and to us of whom they will become a part. This bill which my friend from Illinois said was not demanded has had demands, I think, from almost all the persons connected with the charge of this class from our part of the country.

The SPEAKER. The time of the gentleman has expired.

Mr. MANN. Mr. Speaker, the gentleman from Illinois [Mr. SABATH] gave reasons why the bill ought not to pass, which reminds me that two years ago a question was raised as to the citizenship of his predecessor. It was claimed, on the one hand, that Mr. Michalek, his predecessor, was an alien, and on the other that he was a citizen. He had come here as an infant. Under this bill if it had been determined that Mr. Michalek had not acquired citizenship by reason of his father having become a citizen, and it was shown that he had voted in the State of Illinois, he would have been subject, first, to a conviction for voting, and then to deportation under this bill. A more preposterous thing it is impossible for me to imagine. A few years ago there was a contest as to who was elected the governor of the State of Nebraska. Governor Boyd had received the most votes. It was urged that he was not a citizen. The State was nominally Republican. He was a Democrat. It was claimed that he had never been naturalized. He supposed he had been naturalized. He had held office for many years, had voted for more than a quarter of a century, and if the question was raised under this bill, if it had been determined that he, coming here as an infant, had not been naturalized by the naturalization of his father, he might have been deported. What more preposterous thing could be brought into this House? [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. BENNET of New York. Mr. Speaker, the gentleman from Illinois [Mr. MANN], I think, forgets that in a case such as he states there are two conditions; first, a man to come under the operation of this law at all must have committed a felony, and, second, that this law applies only to aliens in the same way that it has applied for fourteen years to other aliens who are being deported under section 20 at the rate of about fifty a month.

Mr. MANN. But these men would have committed felonies if they were not citizens by voting.

Mr. BENNET of New York. Then, if they committed felonies and they were not citizens, they ought to be deported.

Mr. MANN. It would have been unintentional upon their part.

Mr. BENNET of New York. If it was unintentional on their part the court would have suspended its sentence.

Mr. MANN. But there is no authority in this for a suspension of sentence.

Mr. BENNET of New York. Any court has that power. My friend from Kentucky [Mr. SHERLEY] I think was misled by an error of my own, in which I said that a man who declared his intention renounced allegiance. In the haste of debate that was my impression. I have sent for the law, and it is that a man who declares his intention simply says: "It is my bona fide in-

tention to renounce forever"—his intention to renounce at some future time all allegiance, fidelity, and so forth. So that he does not renounce—

Mr. SHERLEY. Why, the gentleman knows that frequently the very fact that he makes application to this country or any other country for admission as a citizen is by the laws of the country from which he comes taken as a renunciation of allegiance.

Mr. BENNET of New York. The gentleman from New York knows of no country in which that is law.

Mr. SHERLEY. If the gentleman will investigate, he will find that is the law of several countries.

Mr. BENNET of New York. I have so investigated. And, furthermore, almost every country in Europe has this law now. If an American citizen goes to England and commits a felony, at the expiration of his term he is sent back to this country. Germany has the same law, only in a more stringent shape.

Mr. SABATH. So has Russia.

Mr. BENNET of New York. And other countries. We hear a good deal about the individual case of hardship. Of course that is so, and it is so every time a man is sent to State prison; it is an individual hardship on his family, but we have not heard a word about our right to protect society, the innocent and guiltless, from the acts and aggressions of these others. I am in favor of liberal immigration and—

Mr. SHERLEY. But does the gentleman consider it necessary in order to protect society to put out of any country every man who is guilty of a felony? Now, that is the proposition.

Mr. BENNET of New York. I will answer it squarely. I say in our country we are entitled for the protection of society to deport every criminal alien who comes here with the implied promise to abide by our laws and obey them, then disobeys them.

Mr. SHERLEY. For the protection of society we have the right to do anything, but is it necessary for the protection of society to deport these people?

Mr. BENNET of New York. I decline to yield further except to say that in my judgment after investigation abroad for five months since the expiration of the last Congress, in the judgment of the Commission, every member of the Immigration Commission has thought that this bill was proper. I have nothing further to say except—

Mr. OLMSTED. Will the gentleman yield for a question?

Mr. BENNET of New York. In a moment. If you pass this bill, you will decrease crime amongst aliens, you will decrease suffering amongst their families, you will deter the criminal alien abroad from coming to our shores.

The SPEAKER. The time of the gentleman has expired. All time has expired. The question is upon suspending the rules and passing the bill.

The question was taken, and the Speaker announced that the Chair was in doubt.

The SPEAKER. As many as favor suspending rules will rise and stand until counted. [After counting.] The ayes will be seated and the noes will rise. [After counting.] Upon this vote the ayes are 64 and the noes are 50.

Mr. BENNET of New York. Mr. Speaker, I ask for tellers.

The SPEAKER. The gentleman from New York demands tellers. As many as there are in favor of ordering tellers will rise and stand until counted. [After counting.] Twenty-five gentlemen have risen, not a sufficient number, and tellers are refused. Two-thirds not having voted for the passage of the bill, the same is rejected.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. CROCKETT, its reading clerk, announced that the Senate had passed with amendments bill of the following title, in which the concurrence of the House of Representatives was requested:

H. R. 15219. An act making appropriations for the current and contingent expenses of the Indian Department, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1909.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 1476. An act to authorize the Commissioners of the District of Columbia to accept donations of money and land for the establishment of a branch library in the District of Columbia, to establish a commission to supervise the erection of a branch library building in said District, and to provide for the suitable maintenance of said branch; and

S. 2982. An act to codify, revise, and amend the penal laws of the United States.

SENATE BILLS REFERRED.

Under clause 2, Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 2982. An act to codify, revise, and amend the penal laws of the United States—to the Committee on the Revision of the Laws.

S. 1476. An act to authorize the Commissioners of the District of Columbia to accept donations of money and land for the establishment of a branch library in the District of Columbia, to establish a commission to supervise the erection of a branch library building in said District, and to provide for the suitable maintenance of said branch—to the Committee on the District of Columbia.

PENSION BILLS.

Mr. SULLOWAY. Mr. Speaker, I ask that pension bills on the Private Calendar may be considered in the House as in Committee of the Whole House on the state of the Union.

The SPEAKER. The gentleman from New Hampshire asks unanimous consent that bills upon the Private Calendar in order for to-day be considered in the House as in Committee of the Whole House on the state of the Union.

Mr. MANN. Mr. Speaker, if the gentleman from New Hampshire will modify his request so as to make it apply only to pension bills, I will not object.

Mr. SULLOWAY. That is what I did say.

The SPEAKER. The Chair probably stated it wrongly. The gentleman from New Hampshire asks unanimous consent that pension bills on the Private Calendar in order for to-day may be considered in the House as in the Committee of the Whole House on the state of the Union. Is there objection? [After a pause.] The Chair hears none.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message, in writing, from the President of the United States was communicated to the House of Representatives by Mr. LATTA, one of his secretaries, who also informed the House of Representatives that the President had approved and signed bills and a joint resolution of the following titles:

On February 26, 1908:

H. J. Res. 138. Joint resolution to continue in full force and effect an act entitled "An act to provide for the appropriate marking of the graves of the soldiers and sailors of the Confederate army and navy who died in northern prisons and were buried near the prisons where they died, and for other purposes;"

H. R. 12398. An act to authorize the War Department to transfer to the State of Kansas certain land now a part of the Fort Riley Military Reservation;

H. R. 12401. An act to legalize a bridge across the Mississippi River at Rice, Minn.; and

H. R. 586. An act granting pensions and increase of pensions to certain soldiers and sailors of the civil war, and to certain widows and dependent relatives of such soldiers and sailors.

On February 28, 1908:

H. R. 6515. An act for the relief of J. A. Gallaher, administrator of the estate of Joseph H. Gallaher, deceased.

REPORT CONCERNING SETTLEMENT OF SAMOAN CLAIMS.

The SPEAKER laid before the House a message from the President, which was read and, with the accompanying document, referred to the Committee on Appropriations and ordered to be printed, as follows:

To the Senate and House of Representatives:

I transmit a report by the Secretary of State concerning this Government's obligation to pay to the Government of Norway the sum of \$200 under the convention between the United States, Great Britain, and Germany for the settlement of Samoan claims, which was signed at Washington on November 7, 1899.

THEODORE ROOSEVELT.

THE WHITE HOUSE, March 2, 1908.

PENSION BILLS.

The SPEAKER. The Clerk will report the first bill.

The Clerk read as follows:

The bill (H. R. 3510) granting an increase of pension to Henry McCall.

Mr. SULLOWAY. Mr. Speaker, I ask that this bill may be passed without prejudice, at the request of the beneficiary, and to remain on the Calendar.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

ANDREW GODDARD.

The next pension business was the bill (H. R. 1378) granting a pension to Andrew Goddard.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Andrew Goddard, late of Company H, Second Regiment Tennessee Volunteer Cavalry, and pay him a pension at the rate of \$12 per month.

The amendment recommended by the committee was read, as follows:

In line 6 strike out the word "Company" and insert in lieu thereof the words "Companies M and."

The amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

SUSAN M. YEOMAN.

The next pension business was the bill (H. R. 1589) granting an increase of pension to Susan M. Yeoman.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Susan M. Yeoman, widow of Samuel N. Yeoman, late colonel Ninetieth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6, after the word "late," strike out the word "colonel" and insert the word "Lieutenant-colonel."

In line 8 strike out the word "forty" and insert in lieu thereof the word "twenty."

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

JAMES JEFFERS.

The next pension business was the bill (H. R. 3012) granting an increase of pension to James Jeffers.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James Jeffers, late of Company C, Sixth Regiment Tennessee Volunteer Infantry, and pay him a pension at the rate of \$60 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "Jeffers" and insert in lieu thereof the word "Jeffers."

In line 8 strike out the word "sixty" and insert in lieu thereof the word "thirty."

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

The title was amended so as to read: "A bill granting an increase of pension to James Jeffers."

JAMES B. SMITH.

The next pension business was the bill (H. R. 4121) granting an increase of pension to James B. Smith.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James B. Smith, late of Company H, Sixty-sixth Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "thirty-six" and in lieu thereof insert the word "thirty."

The amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

FRANCIS H. SWIFT.

The next pension business was the bill (H. R. 4337) granting an increase of pension to Francis H. Swift.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Francis H. Swift, late of Company I, Fortieth Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 7, before the word "and," insert the words "and unassigned, Veteran Reserve Corps."

In same line strike out the word "forty" and insert in lieu thereof the word "twenty-four."

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

ALEXANDER BECKWITH.

The next pension business was the bill (H. R. 4413) granting an increase of pension to Alexander Beckwith.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Alexander Beckwith, late of Company C, Thirty-seventh Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

The amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

JOHN O. EVANS.

The next pension business was the bill (H. R. 4974) granting an increase of pension to John O. Evans.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John O. Evans, late of Company H, Fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 7 strike out the word "Infantry" and insert in lieu thereof the word "Cavalry."

In line 8 strike out the word "thirty-six" and insert in lieu thereof the word "twenty-four."

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

JULIUS M. DUTTON.

The next pension business was the bill (H. R. 4979) granting an increase of pension to Julius M. Dutton.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Julius M. Dutton, late of Company B, Thirty-eighth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$72 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read as follows:

In line 8 strike out the word "seventy-two" and insert in lieu thereof the word "forty."

The amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

KIRK BROWN.

The next pension business was the bill (H. R. 5298) granting a pension to Kirk Brown.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Kirk Brown, late of Company G, Ninetieth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$30 per month.

The amendment recommended by the committee was read, as follows:

In line 8, after the word "month," insert the words "in lieu of that he is now receiving."

The amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

The title was amended so as to read: "A bill granting an increase of pension to Kirk Brown."

JOHN H. ARNOLD.

The next pension business was the bill (H. R. 6407) granting an increase of pension to John H. Arnold.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John

H. Arnold, late of Company E, Eighty-fifth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$72 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "seventy-two" and insert in lieu thereof the word "fifty."

The amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

THOMAS CARTEN.

The next pension business was the bill (H. R. 6529) granting a pension to Thomas Carten.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Thomas Carten, late of Company D, Sixty-third Regiment Missouri Enrolled Volunteer Infantry, and pay him a pension at the rate of \$40 per month.

The amendments recommended by the committee were read, as follows:

In line 6, before the word "late," insert the words "alias Carten."

In line 7 strike out the word "Missouri."

In the same line strike out the words "Volunteer Infantry" and insert in lieu thereof the words "Missouri Militia."

In line 8 strike out the word "forty" and insert in lieu thereof the word "twelve."

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

The title was amended so as to read: "A bill granting a pension to Thomas Carten, alias Carten."

EDWARD MARDEN.

The next pension business was the bill (H. R. 6654) granting an increase of pension to Edward Marden.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Edward Marden, late of Company E, Second Regiment Wisconsin Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

The amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

LANGDON SHERIFF.

The next pension business was the bill (H. R. 7220) granting an increase of pension to Langdon Sheriff.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Langdon Sheriff, late of Company K, First Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "Sheriff" and insert in lieu thereof the word "Sheriff."

In line 8 strike out the word "thirty-six" and insert in lieu thereof the word "thirty."

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

The title was amended so as to read: "A bill granting an increase of pension to Langdon Sheriff."

DE WITT NASH.

The next pension business was the bill (H. R. 7388) granting an increase of pension to De Witt Nash.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of De Witt Nash, late of Company D, Eighth Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "forty" and insert in lieu thereof the word "thirty."

The amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

OLIVER JONES.

The next pension business was the bill (H. R. 7440) granting an increase of pension to Oliver Jones.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Oliver Jones, late of Company G, Eighth Regiment Minnesota Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "fifty" and insert in lieu thereof the word "thirty."

The amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

WILLIAM SHEPPARD.

The next pension business was the bill (H. R. 7745) granting an increase of pension to William Sheppard.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William Sheppard, late of Company K, First Regiment Missouri Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 7, before the word "Volunteer," insert the words "State Militia."

The amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

WILLIAM D. WILLIAMS.

The next pension business was the bill (H. R. 7746) granting an increase of pension to William D. Williams.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William D. Williams, late of Company F, Forty-second Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

The amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

JAMES B. WILSON.

The next pension business was the bill (H. R. 7938) granting a pension to James B. Wilson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James B. Wilson, late of Battery E, First Regiment Ohio Volunteer Light Artillery, and pay him a pension at the rate of \$40 per month.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "Battery" and insert in lieu thereof the word "Company."

In line 8 strike out the word "forty" and insert in lieu thereof the word "thirty."

In same line, after the word "month," insert the words "in lieu of that he is now receiving."

The amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to James B. Wilson."

HULDAH L. BARBER.

The next pension business was the bill (H. R. 7939) granting a pension to Mrs. Gershom M. Barber.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mrs. Gershom M. Barber, widow of Gen. Gershom M. Barber, late captain, Fifth Regiment Ohio Volunteer Sharpshooters, lieutenant-

colonel One hundred and ninety-seventh Regiment Ohio Volunteer Infantry, and brigadier-general of volunteers, and pay her a pension at the rate of \$30 per month.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the words "Mrs. Gershom M." and insert in lieu thereof the words "Huldah L."

In same line strike out the word "General."

In line 7 strike out the word "Regiment" and insert in lieu thereof the words "Independent Company."

In line 8, before the word "Lieutenant," insert the word "and."

In line 9 strike out the words "and brigadier-general."

In line 10 strike out the words "of volunteers."

In same line strike out the word "thirty" and insert in lieu thereof the word "fifteen."

In line 11, after the word "month," insert the words "in lieu of that she is now receiving."

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

The title was amended so as to read: "A bill granting an increase of pension to Huldah L. Barber."

GEORGE JENKINS.

The next pension business was the bill (H. R. 8333) granting an increase of pension to George Jenkins.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George Jenkins, late of Company H, Fifth Regiment Illinois Volunteer Cavalry, and Company I, Thirty-third Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 7 strike out the words "and Company I, Thirty-third."

In line 8 strike out the words "Regiment Illinois Volunteer Infantry."

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

JOHN GIBSON.

The next pension business was the bill (H. R. 8628) granting an increase of pension to John Gibson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Gibson, late of Company C, Fifth Regiment Connecticut Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "forty" and insert in lieu thereof the word "thirty."

The amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

CHARLES TITTERINGTON.

The next pension business was the bill (H. R. 8743) granting an increase of pension to Charles Titterington.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles Titterington, late of Company A, Ninth Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "fifty" and insert in lieu thereof the word "twenty-four."

The amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

JOHN F. LANE.

The next pension business was the bill (H. R. 10158) granting an increase of pension to John F. Lane.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John F. Lane, late of Company I, Third Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

ALEXANDER KEEFE.

The next pension business was the bill (H. R. 11041) granting an increase of pension to Alexander Keefe.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Alexander Keefe, late of Company A, Second Regiment United States Cavalry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "fifty" and insert in lieu thereof the word "forty."

The amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

GEORGE W. ROBB.

The next pension business was the bill (H. R. 11367) granting an increase of pension to George W. Robb.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George W. Robb, late a private in the Ringgold Pennsylvania Cavalry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the words "a private in the" and insert in lieu thereof the words "of Company D."

In same line, before the word "Pennsylvania," insert the word "Battalion."

In line 7, before the word "Cavalry," insert the word "Volunteer."

In same line strike out the word "fifty" and insert in lieu thereof the word "twenty."

In line 8 strike out the words "in lieu of that he is now receiving" and insert in lieu thereof the words "the same to be paid to him under the rules of the Pension Bureau as to mode and time of payments, without any reduction or rebate on account of former alleged over-payments or erroneous payments of pension."

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

The title was amended so as to read: "A bill granting a pension to George W. Robb."

ALONZO KNOX.

The next pension business was the bill (H. R. 11687) granting an increase of pension to Alonzo Knox.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Alonzo Knox, late of Company F, Fourth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

PHILIP BOWERS.

The next pension business was the bill (H. R. 11939) granting an increase of pension to Philip Bowers.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Philip Bowers, late of Company M, First Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 7 strike out the word "fifty" and insert in lieu thereof the word "thirty."

The amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

FREDERICK WIFFIN.

The next pension business was the bill (H. R. 12026) granting an increase of pension to Fred Wiffin.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Fred Wiffin, late of Company I, Thirty-seventh Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 6 strike out the word "Fred" and insert in lieu thereof the word "Frederick."

The amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

The title was amended so as to read: "A bill granting an increase of pension to Frederick Wiffin."

JOHN WAGNER.

The next pension business was the bill (H. R. 12490) granting an increase of pension to John Wagner.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Wagner, late of Company F, Thirty-fifth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

The amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

ALBERT NEWTON.

The next pension business was the bill (H. R. 12620) granting an increase of pension to Albert Newton.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Albert Newton, late of Company C, Seventy-ninth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

JOHN O. MATTHEWS.

The next pension business was the bill (H. R. 13140) granting an increase of pension to John O. Matthews.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John O. Matthews, late Lieutenant Sixteenth Regiment New York Heavy Artillery, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6, after the word "late," insert the word "second."

In same line, after the word "lieutenant," insert the words "Company M."

In line 7, before the word "Heavy," insert the word "Volunteer."

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

GRANVILLE W. SMITH.

The next pension business was the bill (H. R. 13536) granting a pension to Granville W. Smith.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Granville W. Smith, late of Company H, Thirtieth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of \$30 per month, the same to be paid to him under the rules of the Pension Bureau as to mode and times of payment, without any reduction or rebate on account of former alleged overpayments or erroneous payments of pension.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

The amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

GEORGE A. OSBORN.

The next pension business was the bill (H. R. 13627) granting an increase of pension to George A. Osborn.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George

A. Osborn, late of Company B, One hundred and eighty-fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

The amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

CHARLES W. HEISLER.

The next pension business was the bill (H. R. 14084) granting an increase of pension to Charles W. Heisler.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles W. Heisler, late of Company F, Twenty-fifth Regiment New Jersey Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

THOMAS G. ORR.

The next pension business was the bill (H. R. 14531) granting an increase of pension to Thomas G. Orr.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Thomas G. Orr, late of Company C, Fifth Regiment Iowa Volunteer Infantry, reenlisted as veteran and transferred to Company G, Fifth Iowa Cavalry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 7 strike out the words "reenlisted as veteran and transferred to."

In line 8 strike out the words "Company G, Fifth Iowa Cavalry."

In line 9 strike out the word "fifty" and insert in lieu thereof the word "thirty."

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

JOSEPH A. TURNER.

The next pension business was the bill (H. R. 14547) granting an increase of pension to Joseph A. Turner.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Joseph A. Turner, late first lieutenant and regimental quartermaster, Eighteenth Regiment United States Colored Volunteer Infantry, and pay him a pension at the rate of \$75 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 9 strike out the word "seventy-five" and insert in lieu thereof the word "thirty."

The amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

GEORGE W. STABLER.

The next pension business was the bill (H. R. 14972) granting an increase of pension to G. W. Stabler.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of G. W. Stabler, late of Company D, Second Regiment Kansas Volunteer Cavalry, and pay him a pension at the rate of \$35 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the letter "G." and insert in lieu thereof the word "George."

In same line, after the word "late," strike out the word "of" and insert in lieu thereof the word "captain."

In same line strike out the letter "D" and insert in lieu thereof the letter "C."

In line 8 strike out the word "thirty-five" and insert in lieu thereof the word "thirty-six."

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

The title was amended so as to read: "A bill granting an increase of pension to George W. Stabler."

JOHN W. DON, ALIAS JOHN DUNN.

The next pension business was the bill (H. R. 14981) granting an increase of pension to John W. Don, sr.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John W. Don, sr., late of the United States gunboat *Perle*, No. 57, and the U. S. gunboat *Fort Hindman*, No. 13, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "senior" and insert in lieu thereof the words "alias John Dunn."

In the same line strike out the word "gunboat" and insert in lieu thereof the word "ships."

Strike out all of line 7.

In line 8 strike out the words "Fort Hindman, No. 13," and insert in lieu thereof the words "Grampus, *Perle*, and *Collier*, United States Navy."

In line 9 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

The title was amended so as to read: "A bill granting an increase of pension to John W. Don, alias John Dunn."

EDWARD P. HOWE.

The next pension business was the bill (H. R. 15569) granting an increase of pension to Edward P. Howe.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Edward P. Howe, late captain Company A, Fifty-seventh Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$75 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "seventy-five" and insert in lieu thereof the word "twenty-four."

The amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

RICHARD H. JONES.

The next pension business was the bill (H. R. 15893) granting an increase of pension to Richard H. Jones.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Richard H. Jones, late of Company H, Thirtieth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

The amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

THOMAS SHEPPARD.

The next pension business was the bill (H. R. 16236) granting an increase of pension to Thomas Sheppard.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Thomas Sheppard, late of Company I, Thirty-third Regiment New Jersey Volunteer Infantry, and pay him a pension at the rate of \$72 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "seventy-two" and insert in lieu thereof the word "thirty."

The amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

JOSEPH RICEY.

The next pension business was the bill (H. R. 16415) granting an increase of pension to Joseph Richey.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Joseph Richey, late of Company A, Sixty-eighth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "forty" and insert in lieu thereof the word "thirty."

The amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

LOUIS N. BRADY.

The next pension business was the bill (H. R. 16444) granting an increase of pension to Louis N. Brady.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Louis N. Brady, late of Company G, One hundred and sixty-fifth Regiment Pennsylvania Drafted Militia, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 7, before the word "and," insert the word "Infantry."

The amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

GRAHAM MAFFETT.

The next pension business was the bill (H. R. 4123) granting an increase of pension to Graham Maffett.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Graham Maffett, late of Company H, Twenty-eighth Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read as follows:

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

The amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

LELA L. ELLIS.

The next pension business was the bill (H. R. 1549) granting a pension to Lela Ellis.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Lela Ellis, widow of Luke Ellis, late of Company —, First Regiment Tennessee Volunteer Infantry, war with Spain, and pay her a pension at the rate of \$20 per month.

The amendments recommended by the committee were read, as follows:

Change claimant's name in title and body of the bill to "Lela L. Ellis."

In line 6, after "Luke," insert "T."

In the same line, after "Company," insert "C."

In line 7 strike out "Volunteer."

In line 8 strike out "twenty" and insert "twelve."

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

HARRIS ALVIN CONRAD.

The next pension business was the bill (H. R. 4173) granting a pension to Harris Alvin Conrad.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Harris Alvin Conrad, minor heir of Alvin S. Conrad, late of Company L, Sixth Regiment United State Infantry, and pay him a pension at the rate of \$12 per month.

The amendments recommended by the committee were read, as follows:

In line 6 strike out "heir" and insert "child."

In line 7, after "Infantry," insert "war with Spain."

Add to the end of the bill the words "until he reaches the age of 16 years."

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

JORGE BENAVIDES ANDERSON.

The next pension business was the bill (H. R. 4327) granting an increase of pension to Jorge Benavides Anderson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pensions laws, the name of Jorge

Benavides Anderson, widow of Tandy K. Anderson, late of Capt. H. B. Lamar's independent company, Texas Mounted Volunteers, and pay her a pension at the rate of \$30 per month in lieu of that she is now receiving.

The amendments recommended by the committee were read, as follows:

In line 7 strike out the initial "H" and insert "M."
In line 8, after "Volunteers," insert "war with Mexico."
In line 9 strike out "thirty" and insert "twelve."

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

DAVID M'GINNIS.

The next pension business was the bill (H. R. 5128) granting a pension to David McGinnis.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of David McGinnis, late of Company —, Third Regiment of Kentucky Volunteer Infantry, war with Mexico, and pay him a pension at the rate of \$24 per month.

The amendments recommended by the committee were read, as follows:

In line 6 strike out "of company" and insert "recruit."
In line 8 strike out "twenty-four" and insert "twenty."

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

JENNIE H. THOMAS.

The next pension business was the bill (H. R. 7169) granting an increase of pension to Jennie H. Thomas.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jennie H. Thomas, widow of Edward Loyd Thomas, late lieutenant Captain Loyall's company, Georgia Mounted Volunteers, war with Mexico, and pay her a pension at the rate of \$30 per month in lieu of that she is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 change "Loyd" to "L."
In line 7, before "lieutenant," insert "second."
In line 9 strike out "thirty" and insert "twelve."

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

PETER A. RAINBOLT.

The next pension business was the bill (H. R. 12856) granting an increase of pension to Peter A. Rainbolt.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Peter A. Rainbolt, late of California and Texas Indian wars, 1851, 1854, and 1855, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6, after "late of," insert "Captain Bolling's Company B, Mounted California Volunteers."
In the same line strike out the words "and Texas."
In line 7 change "wars" to "war."
In lines 7 and 8 strike out "1851, 1854, and 1855."
In line 9 strike out "thirty" and insert "sixteen."

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

FENEMORE AMES.

The next pension business was the bill (H. R. 15137) granting an increase of pension to Fenemore Ames.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Fenemore Ames, late of the United States Navy, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6, after "late" insert "landsman, United States ship Hartford."
In the same line strike out the words "of the."

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

MARTHA E. M'DONALD.

The next pension business was the bill (H. R. 15179) granting an increase of pension to Martha E. McDonald.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Martha E. McDonald, widow of William B. McDonald, late of First Regiment Georgia Volunteer Infantry, Mexican war, and pay her a pension at the rate of \$24 per month in lieu of that she is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 change the initial "B." to "P."
In line 7, after "late of," insert "Company E."
In the same line strike out "Georgia" and insert "Missouri Mounted."
In the same line change "Volunteer" to "Volunteers."
In the same line strike out "Infantry, Mexican."
In line 8, after "war," insert "with Mexico."
In the same line strike out "twenty-four" and insert "twelve"

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

MARY A. L. HAWK.

The next pension business was the bill (H. R. 15473) granting an increase of pension to Mary A. L. Hawk.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary A. L. Hawk, widow of George F. Hawk, late ensign in the Navy, and pay her a pension at the rate of — dollars per month.

The amendments recommended by the committee were read, as follows:

In line 7 strike out "in the" and insert "United States."
In the same line, after "rate of," insert "twenty-five."
In line 8, after "month," insert "in lieu of that she is now receiving."

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

JOHN T. MALONEY, JR.

The next pension business was the bill (H. R. 15546) granting a pension to John T. Maloney, jr.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John T. Maloney, jr., late of Company F, Fourth Regiment Illinois Volunteer Infantry, war with Spain, and pay him a pension at the rate of \$20 per month.

The amendment recommended by the committee was read, as follows:

In line 7 strike out "and" and all thereafter.

The amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

MARY E. LEIGH.

The next pension business was the bill (H. R. 15947) granting an increase of pension to Mary E. Leigh.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary E. Leigh, widow of soldier of Indian wars, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6, after "widow of," insert "Benjamin Leigh, late of Captain Green's company, Georgia Militia, Creek Indian war."
In the same line strike out "soldier of Indian wars."
In line 7 strike out "twenty" and insert "twelve."

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

JAMES COCHRAN KEY.

The next pension business was the bill (H. R. 16184) granting an increase of pension to James Cochran Key.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws the name of James Cochran Key, late of Company —, — Regiment Georgia Volunteer Infantry, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6, after "late of," insert "Captain Garmany's."
In the same line strike out "Regiment."
In line 7 change "Volunteer" to "Volunteers."
In the same line strike out "Infantry" and insert "Florida Indian war."
In line 8 strike out "twenty" and insert "sixteen."

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

SARAH W. PASSMORE.

The next pension business was the bill (H. R. 16241) granting an increase of pension to Sarah W. Passmore.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Sarah W. Passmore, widow of Brewington Passmore, late of Company —, First Regiment North Carolina Volunteer Infantry, Mexican war, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The amendments recommended by the committee were read, as follows:

In line 7, after "Company," insert "B."
In line 7 change "Volunteer" to "Volunteers."
In line 8 strike out "Infantry, Mexican."
In the same line, after "war," insert "with Mexico."
In line 9 strike out "twenty" and insert "twelve."

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

ANNIE RICKS.

The next pension business was the bill (H. R. 16331) granting an increase of pension to Annie Ricks.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Annie Ricks, widow of Edward Ricks, late of Company —, — Regiment Texas Volunteer Infantry, war with Mexico, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6, after "late of," insert "Captain Buckel's."
In line 7, before "Regiment," insert "Johnson's."
In the same line, after "Texas," insert "Rifle."
In the same line change "Volunteer" to "Volunteers" and strike out "Infantry."

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

WILLIAM ABT.

The next pension business was the bill (H. R. 16803) granting a pension to William Abt.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William Abt, late of Eighth Company Coast Artillery, and pay him a pension at the rate of \$50 per month for disability received in line of duty.

The amendments recommended by the committee were read, as follows:

In line 6, after "Company," insert "United States."
In line 7 strike out "fifty" and insert "forty-six."
Strike out line 8.

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

THOMAS J. PERKINS.

The next pension business was the bill (H. R. 17073) granting an increase of pension to Thomas J. Perkins.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Thomas J. Perkins, late of Company B, Washington Territory Volunteers, Indian war, and pay him a pension at the rate of \$16 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6, after "late of," insert "Captain Hay's."
In the same line, before "Washington," insert "First Regiment."
In line 7, after "Volunteers," insert "Oregon and Washington."

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

INCREASE OF PENSIONS TO SOLDIERS AND SAILORS.

The next pension business was the bill (H. R. 17874) granting pensions and increase of pensions to certain soldiers and sailors of the civil war and certain widows and dependent children of soldiers of said war.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws—

The name of Daniel H. Parrott, late of Company K, Thirteenth Regiment Tennessee Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of James C. Fackenthal, late first lieutenant Company E, Twelfth Regiment Pennsylvania Reserve Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Alexander Thompson, late of Company B, Sixty-first Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Albert Hardy, late of Company K, One hundredth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of William H. Rupp, late of Company F, Eighty-seventh Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Frank Cart, late of Company D, Second Regiment Pennsylvania Volunteer Heavy Artillery, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of William H. Woodward, late sergeant-major Sixty-seventh Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of David N. Anderson, late of Company I, One hundred and fifty-second Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of William C. Hall, late of Company A, Twenty-eighth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of David Miller, jr., late of Company G, Twentieth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Charles T. Haines, late of Company G, Seventy-second Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of William H. Turner, late of Company G, Fifteenth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Philip S. Smock, late of Company A, Seventy-eighth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of James M. Crowder, late of Company B, Fifth Regiment Tennessee Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of William Kephart, late of Company H, First Regiment Missouri Volunteer Light Artillery, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of George T. Batty, helpless and dependent child of Edward Batty, late of Company H, One hundred and twenty-sixth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$12 per month.

The name of Nelson Clark, late of Company D, Eighteenth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of William H. H. Hurry, late second lieutenant Companies E and F, Fifty-seventh Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of William H. Elder, late of Companies H and A, Fifty-eighth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Basil Hall, late of Company H, Third Regiment West Virginia Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Michael McNally, late captain Company E, Two hundred and first Regiment Pennsylvania Volunteer Infantry, and pay him a pension of \$24 per month in lieu of that he is now receiving.

The name of Thomas R. Luckhardt, late of Company E, One hundred and forty-eighth Regiment Pennsylvania Volunteer Infantry, and pay him a pension of \$24 per month in lieu of that he is now receiving.

The name of Samuel Read, late of Company E, Fifty-sixth Regiment New York Volunteer Infantry, and pay him a pension of \$36 per month in lieu of that he is now receiving.

The name of Horatio Webster, late of Company E, First Regiment Michigan Volunteer Light Artillery, and pay him a pension of \$46 per month in lieu of that he is now receiving.

The name of Mark Harrington, late of Company C, Fifth Regiment Rhode Island Volunteer Heavy Artillery, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of John Bolles, late of Company D, Twenty-first Regiment Connecticut Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Solomon C. Grim, late of Company D, Ninety-second Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$27 per month in lieu of that he is now receiving.

The name of Butler Case, first lieutenant Company F, Fifty-fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of Theophilus Jones, late of Company F, Twelfth Regiment Pennsylvania Reserve Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Walter H. Farwell, late of Company A, Fifth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of John P. Patton, late of Company F, Thirty-ninth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of George W. Bireley, late of Company D, Two hundred and third Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Oliver T. Bundy, late assistant surgeon One hundred and forty-fourth Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of William H. Studley, late of Company C, Eleventh Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Jane M. Ketcham, late nurse Medical Department United States Volunteers, and pay her a pension at the rate of \$12 per month.

The name of Parker A. Emery, late of Company D, Fourteenth Regiment New Hampshire Volunteer Infantry, and One hundred and fourteenth Company, Second Battalion Veteran Reserve Corps, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Edward P. Rice, late of Companies F and K, Third Regiment United States Reserve Corps, Missouri Volunteer Infantry, and pay him a pension at the rate of \$12 per month.

The name of Joseph Ott, late of Company K, One hundred and fifty-first Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of John W. Adkins, late of Company H, Twelfth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Ira Tupper, late of Company E, Third Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Alem Snyder, late of Companies E and C, Sixth Regiment Pennsylvania Volunteer Cavalry, and Company C, Second Regiment Pennsylvania Provisional Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of David Hughes, late of Company E, Fifty-fifth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of William H. Hawley, late of Company E, Third Regiment New York Volunteer Light Artillery, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Charles H. Crofutt, late of Company H, Second Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Cyrus T. Swain, late of Company C, Eighty-fourth Regiment Indiana Volunteer Infantry, and One hundred and thirty-ninth Company, Second Battalion, Veteran Reserve Corps, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of John Sine, late of Company F, Thirty-first Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Abram W. Labagh, late of Company K, Fifty-sixth Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of William P. Pease, late of Company B, Ninety-ninth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Benjamin F. Slater, late of Company K, Twenty-second Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of Joseph Martin, late of Company D, First Regiment Vermont Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Augustus Bunting, late of Company E, Eightieth Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Charles A. McKevitt, late of Company E, Third Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Nathan T. Moore, late of Company K, Twelfth Regiment Ohio Volunteer Infantry, and Company I, Fifty-ninth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Benjamin F. Keefer, late of Company E, Seventh Regiment West Virginia Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of John S. McNair, late first lieutenant Company B, Twenty-fourth Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Robert Firth, late of Company C, One hundred and fifty-sixth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Henry S. Rider, late of Company L, Twenty-second Regiment Pennsylvania Volunteer Cavalry, and Company L, Third Regiment Pennsylvania Provisional Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Marlon B. Patterson, widow of Robert F. Patterson, late lieutenant-colonel Twenty-ninth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of \$30 per month in lieu of that she is now receiving.

The name of Thomas W. Ritchie, late of Company A, Fifth Regiment Iowa Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of George W. Johns, late of Company C, Twelfth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Jane E. Seaman, widow of Harmanus V. V. Seaman, late of Company A, Nineteenth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The name of Francis A. Gere, late of Company A, One hundred and fifty-third Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Francis M. Smith, late of Company D, First Regiment Tennessee Volunteer Mounted Infantry, and pay him a pension at the rate of \$25 per month in lieu of that he is now receiving.

The name of Oliver M. Allen, late of Company A, One hundred and fifty-first Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Henry B. Haley, late captain Company M, First Regiment New Hampshire Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Edward E. Spencer, late of Company G, Sixty-fourth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Alfred L. Slater, late of Company B, Fifth Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of George A. Hawley, late of Company I, Fifteenth Regiment, and Company G, Twentieth Regiment, Massachusetts Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Samuel Brown, late of Company H, Forty-sixth Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Bankson T. Morgan, late lieutenant-colonel Fifty-fourth Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of William I. Protzman, late of Company C, Third Regiment West Virginia Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of John H. Crippen, late of Company K, Fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Peter Stark, late of Company H, First Regiment Illinois Volunteer Light Artillery, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Samuel J. Stogden, late of Company I, Eleventh Regiment, and Company I, One Hundred and Ninetieth Regiment, Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of William T. Guilett, late of Company I, First Regiment Tennessee Volunteer Mounted Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Edward A. Chapman, late of Company A, Eighty-third Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Theophilus McConnell, late of Company D, Twelfth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of George W. Bowler, late of Company N, Sixth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of George Dallas Johnson, alias Dallas Johnson, late of Company G, Forty-seventh Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Reuben J. Clarkson, late of Company F, Ninth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of George C. Heberling, late of Company A, Twenty-fourth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Joseph Francis, late of Company H, Thirty-first Regiment Wisconsin Volunteer Infantry, and Company C, Twenty-third Regiment Veteran Reserve Corps, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of William T. Edwards, late of Company E, Fourteenth Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Asa B. Park, late of Company B, Thirty-fourth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of George Hess, helpless and dependent son of Samuel Hess, late major and lieutenant-colonel Sixtieth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$12 per month.

The name of Frank E. Wadhams, late of Company E, Thirteenth Regiment Connecticut Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Charles Hines, late of Company G, One hundred and eighty-seventh Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The name of William H. Watson, late of Company I, One hundred and thirty-eighth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Rudolph B. Scott, alias Charles R. Scott, late of U. S. S. North Carolina and Chicopee, United States Navy, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Harmon M. Billings, late captain Company E, Eighty-sixth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$66 per month in lieu of that he is now receiving.

The name of William Lemon, late of Company D, Seventh Regiment California Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of John S. G. Green, late of Company D, Twentieth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Charles Joy, late of Company A, Fifteenth Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Henry Mastilla, late of Company E, Ninth Regiment United States Colored Volunteer Heavy Artillery, and Company K, Third Regiment United States Colored Volunteer Heavy Artillery, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Joseph N. Dawson, late of Company E, Seventy-seventh Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Hiram F. Hollister, late of Company A, Forty-seventh Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Heman R. Lybolt, late of Company F, First Regiment New York Volunteer Light Artillery, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Ellicum Ayres, late of Company K, Eleventh Regiment Indiana Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Henry Moore, late of Company E, One hundred and sixty-first Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of Oswald Ihme, late of Company G, Second Regiment Minnesota Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Matthew J. McRaith, late of Company G, Eighteenth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Rudolph Frey, late of Company A, Ninety-fourth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of John G. Homan, late of Company C, Twelfth Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The name of Albert E. Oviatt, late of Company D, Seventh Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Alonson D. Grinnell, late of Company I, Ninetieth Regiment, and Company E Battalion, Ninetieth Regiment, New York Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Joseph Gugumus, late of Company B, One hundred and thirty-sixth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Albert J. Meserve, late of Company A, Forty-second Regiment Massachusetts Militia Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Samuel Gray, late of Battery F, First Regiment Pennsylvania Volunteer Light Artillery, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Elizabeth McCarthy, widow of Cornelius McCarthy, late of Company D, Twelfth Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The name of Selden S. Hall, late of Company F, One hundred and third Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Elizabeth S. Hess, widow of Jacob Hess, late of Company A, Twenty-ninth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Cecilia W. Simon, widow of Alexander W. Simon, late sergeant-major, Fifth Regiment United States Cavalry, and pay her a pension at the rate of \$16 per month in lieu of that she is now receiving.

The name of Virgil D. Poe, late of Company F, One hundred and nineteenth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of John B. Graves, late of Company C, Eleventh Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Adeline K. Hart, widow of Andrew Hart, late captain of Company K, First Regiment United States Reserve Corps, Missouri Home Guards, and pay her a pension at the rate of \$12 per month.

The name of Isaac Holcomb, late of Company C, Third Regiment North Carolina Mounted Volunteer Infantry, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The name of Robert D. Robinson, late of Company D, Thirty-ninth Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Henry L. Patterson, late of Company H, Nineteenth Regiment Maine Volunteer Infantry, and Company E, Third Regiment Veteran Reserve Corps, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Adelaide E. Randolph, widow of Asa A. F. Randolph, late of Company K, Twelfth Regiment New Jersey Volunteer Infantry, and Seventeenth Company Second Battalion Veteran Reserve Corps, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Anna J. Randolph, helpless and dependent child of said Asa A. F. Randolph, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of said Adelaide E. Randolph the name of said Anna J. Randolph shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of \$12 per month from and after the date of the death of said Adelaide E. Randolph.

The name of William McLain, late of Company M, Second Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Milton Charles, late of Company C, Fifth Regiment United States Artillery, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Alfred R. Bradeen, late of Company E, Ninth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Charles M. Massie, late of Company L, Seventh Regiment West Virginia Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of James Carroll, late of Company D, Twenty-fifth Regiment, and Company K, One hundred and fiftieth Regiment, Illinois Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Francis Gault, late of Company A, Seventy-sixth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Sarah B. Goehler, widow of Philip Goehler, late second lieutenant of Company G, Ninety-eighth Regiment Pennsylvania Volunteer Infantry, and captain Company C, Third Battalion Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$16 per month in lieu of that she is now receiving.

The name of Rufus H. Washburn, late of Company A, Sixth Regiment Indiana Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of William J. Gardner, late of Company F, Sixteenth Regiment Missouri Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of William V. Carr, late of Company A, Fifty-fourth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of William Nelson, late of Company E, Fifteenth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Edward McGinniss, late of Company B, First Regiment Rhode Island Volunteer Light Artillery, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Sarah E. Wilkin, widow of Jacob W. Wilkin, late captain Companies C and K, One hundred and thirtieth Regiment, and Company K, Seventy-seventh Regiment, Illinois Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The name of Caroline King, widow of Joseph King, late of Company C, Twelfth Regiment Missouri Volunteer Cavalry, and pay her a pension at the rate of \$24 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of John A. King, helpless and dependent son of said Joseph King, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Caroline King the name of said John A. King shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of \$12 per month from and after the death of said Caroline King.

The name of Benjamin F. Harris, late of Company D, First Regiment Missouri Volunteer Infantry, and Company F, Thirteenth Regiment Missouri Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Timothy C. Moore, late lieutenant-colonel Thirty-fourth Regiment New Jersey Volunteer Infantry, and captain Company K, Sixth Regiment New Jersey Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Michael Unbehaun, late of Company I, One hundred and sixteenth Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Elijah M. Sandford, late of Company F, Twenty-fourth Regiment New York Volunteer Cavalry, and Company F, First Regiment New York Provisional Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of James M. Timoney, late of Company D, Fifteenth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of John R. Knudson, late of Company D, Fifty-second Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Anna Fick, helpless and dependent daughter of Carl Fick, late of Companies F and C, Nineteenth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The name of Alwilda Blades, widow of John H. Blades, late of Company D, Third Regiment Maryland Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

Mr. SULLOWAY. Mr. Speaker, in the case of Edward McGinniss, in line 3, page 24, strike out 20 and insert 24.

The Clerk read as follows:

Page 24, line 3, strike out 20 and insert 24.

The question was taken, and the amendment was agreed to.

Mr. SULLOWAY. Mr. Speaker, on page 25, line 16, strike out the initial "M." and insert "D."

The Clerk read as follows:

Page 25, line 16, strike out the initial "M." and insert "D."

The question was taken, and the amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

AGNES LANGE SMITH.

The next pension business was the bill (S. 712) granting a pension to Agnes Lange Smith.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Agnes Lange Smith, widow of Lewis Smith, late major, Fourth Regiment United States Artillery, and lieutenant-colonel, Artillery Corps, United States Army, retired, and pay her a pension at the rate of \$30 per month.

The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

INCREASE OF PENSIONS TO SOLDIERS AND SAILORS.

The next pension business was the bill (S. 4376) granting pensions and increase of pensions to certain soldiers and sailors of the civil war and certain widows of such soldiers and sailors.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws—

The name of Walter S. Sylvester, late of Company F, First Regiment Maine Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Alvin S. Doughty, late of Company H, Eighth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Mary E. Linehan, widow of John C. Linehan, late musician, Third Regiment New Hampshire Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The name of Horace L. Ingalls, late of Company H, Eighth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Hattie S. Nourse, widow of Frederick A. Nourse, late captain Company A, Fourteenth Regiment United States Colored Volunteer Heavy Artillery, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Daniel Wagner, late of Company E, Twenty-first Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Maria Havens, late of Company K, Eighteenth Regiment New York Volunteer Infantry, and Company A, Fourteenth Regiment New York Volunteer Heavy Artillery, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Maria Wells, widow of Moses Wells, late of Company H, One hundred and twenty-second Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The name of Littleton T. Morgan, late of Company B, Third Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Royal M. Bones, late of Companies C and B, First Regiment Missouri Volunteer Engineers, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Josephine Pagett, widow of Charles W. Pagett, late of Company L, First Regiment Wisconsin Volunteer Cavalry, and landsman, U. S. S. Great Western, United States Navy, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The name of John C. Roth, late of Company H, Twenty-sixth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Mary A. Allen, widow of James Allen, late captain Company L, Fifth Regiment Michigan Volunteer Cavalry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of William Lockwood, late of Company H, One hundred and nineteenth Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of George L. Courtney, late of Company A, Fortieth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Ambros W. Geer, late of Company D, Forty-second Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of John M. Baker, late first lieutenant Company G, One hundred and fifteenth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Matilda Daly, widow of Edward Daly, late of Company E, Twenty-ninth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The name of Sarah E. Hasler, widow of Samuel J. Hasler, late first lieutenant Company G, Twentieth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$17 per month in lieu of that she is now receiving.

The name of Theodore M. Burge, late of Company E, Sixth Regiment United States Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Richard Black, late of First Independent Battery, Iowa Volunteer Light Artillery, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Augusta A. Hawes, widow of Eugene M. Hawes, late of Company B, Fourth Regiment Vermont Volunteer Infantry, and Company D, Eleventh Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The name of Hiram M. Tarbell, late of Company E, Eighth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of William L. S. Tabor, late of Company K, Fifteenth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Sarah S. Luther, widow of William H. Luther, late of Company F, Tenth Regiment Rhode Island Volunteer Infantry, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The name of Frances E. Topliff, widow of Thomas D. Topliff, late acting master's mate, United States Navy, and pay her a pension at the rate of \$16 per month in lieu of that she is now receiving.

The name of Sarah Cullen, widow of Philip Cullen, late of Company F, Ninth Regiment Iowa Volunteer Cavalry, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The name of Patrick Devitt, late of Company G, Eleventh Regiment Minnesota Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Helen Jeffcoat, widow of John Jeffcoat, late first lieutenant of Company B, One hundred and thirteenth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$17 per month in lieu of that she is now receiving.

The name of James I. Walker, late of Company K, Twenty-second Regiment Ohio Volunteer Infantry, and Twenty-second Battery, Ohio Volunteer Light Artillery, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Thomas H. Ewing, late of Company C, Two hundred and sixth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of William P. Snowden, late of Company C, First Regiment Missouri Mounted Volunteers, war with Mexico, and veterinary surgeon Fifth Regiment Iowa Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of William H. Stannah, late of Company B, Ninety-fourth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of John M. G. Mayer, late sergeant-major, Twenty-eighth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Samuel M. Smith, late of Company K, Fortieth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Nelson Miner, late of Company C, Ninth Regiment Vermont Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Francis F. Clark, late of Company A, Sixth Regiment Vermont Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Euretta Betts, widow of Willis W. Betts, late of Company D, Fourth New York Volunteer Heavy Artillery, and pay her a pension at the rate of \$8 per month.

The name of William C. Platt, late of Company H, Seventh Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Mary H. Yule, widow of Thomas Yule, late of Company H, Twenty-third Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The name of Sophia Froelich, widow of Louis Froelich, alias August Zimmermann, late of Company D, First Regiment Louisiana Volunteer Cavalry, and pay her a pension at the rate of \$8 per month.

The name of Mary McCarty, widow of Owen McCarty, late of Company K, Sixty-ninth Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$8 per month.

The name of Daniel H. Dornisfe, late of Company K, One hundred and seventy-seventh Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Jeremiah Hazen, late of Company E, Thirty-eighth Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Charles M. Kell, late of Company C, First Regiment Mountaineers, California Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Martha A. Spalding, widow of David C. Spalding, late surgeon Tenth Regiment Michigan Volunteer Cavalry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Allison Varney, late of Company G, Forty-first Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Elijah Trollope, late of Company I, Twentieth Regiment, and Company G, Thirty-fifth Regiment, Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Elizabeth Plummer, widow of William Plummer, late of Company B, Eleventh Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$16 per month in lieu of that she is now receiving.

The name of James M. Grimes Keyton, late of Company M, Fourth Regiment Missouri Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Imogene P. Hunsdon, widow of Charles Hunsdon, late colonel Eleventh Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Peter B. Hoffman, late of Company I, Eighth Regiment Maryland Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Ada G. Dickerson, widow of Perley B. Dickerson, late first lieutenant Company H, Thirteenth Regiment United States Colored Volunteer Infantry, and pay her a pension at the rate of \$17 per month in lieu of that she is now receiving.

The name of James M. Procter, late of Company G, Third Regiment United States Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Annie E. Creary, widow of William E. Creary, late of Company K, Nineteenth Regiment, and Independent Company, Veteran Reserve Corps, and major and paymaster, United States Army, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Monroe A. White, late of Company D, Eleventh Regiment United States Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Joseph Beal, late of Companies I and D, One hundred and fourth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Fenimore P. Cochran, late of Company E, Fifteenth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Marion B. Mullen, widow of John H. Mullen, late captain Company C, Twelfth Regiment Connecticut Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Criss Becker, late of Company G, Tenth Regiment Minnesota Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Henry M. Lester, late of Company G, Seventh Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Henry Tyler, late of Company F, Twenty-sixth Regiment Connecticut Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Delu Norris, late of Company E, Twenty-third Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Franklin D. Allen, late of Company H, Eighth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of William H. H. Miller, late of Company F, Thirty-seventh Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Parnel B. Moor, late of Company B, Sixth Regiment Maine Volunteer Infantry, and Company E, First Regiment Maine Veteran Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Amanda M. P. Brock, widow of Alvan D. Brock, late captain Company L, Thirty-first Regiment Maine Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Naomi V. Culley, widow of Joseph Culley, late acting second assistant engineer, United States Navy, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The name of Job Musgrave, late of Company F, Twelfth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Truman L. Walden, late of U. S. S. Great Western and Kickapoo, United States Navy, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of William Mulock, of Company D, Ninety-fifth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Newell S. Swett, late of Second Company Massachusetts Sharpshooters, attached to Twenty-second Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

On page 12 strike out lines 11, 12, 13, and 14, as follows: "The name of Delu Morris, late of Company E, Twenty-third Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving."

The amendment was agreed to.

The bill as amended was ordered to a third reading, and it was accordingly read the third time and passed.

INCREASE OF PENSIONS TO SOLDIERS AND SAILORS.

The next pension business was the bill (S. 4740) granting pensions and increase of pensions to certain soldiers and sailors of the civil war and certain widows of such soldiers and sailors. The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws—

The name of William P. Damon, late of Company B, Thirty-first Regiment Maine Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of Nathan H. Landers, late second lieutenant Company H, Twenty-ninth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of Joel Brown, late of Third Battery, Kansas Volunteer Light Artillery, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Lewis T. Penwell, late of Company B, Seventy-third Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Noah Greer, late of Company C, Fourth Regiment Tennessee Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Joseph Marsh, late of Company K, First Regiment New Jersey Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Henry, alias Halden, Hanson, late of Company G, Twelfth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Andrew F. Kenyon, late of Company E, Fourteenth Regiment New York Volunteer Heavy Artillery, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Catherine Kolb, widow of George Kolb, late of Company F, Third Regiment, and Company K, Forty-fourth Regiment, Wisconsin Volunteer Infantry, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The name of Samuel D. Chase, late of Company H, First Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of William J. Showaker, late of Company F, Twenty-seventh Regiment, and Company I, One hundred and ninety-eighth Regiment, Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Mary E. Edmondson, widow of Sylvester Edmondson, late of Company D, One hundred and ninety-seventh Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$8 per month.

The name of Susan A. Vantine, widow of Joseph E. Vantine, late of U. S. S. North Carolina, Richmond, and Princeton, United States Navy, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving and \$2 per month additional on account of each of the minor children of the said Joseph E. Vantine until they reach the age of 16 years.

The name of William C. Shook, late of Company D, Seventy-fourth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Edward C. Ellet, late second lieutenant Company A, First Regiment Mississippi Marine Brigade Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of William J. Downin, late hospital steward, Thirty-first Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of William Morrison, late of Company G, Seventy-ninth Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$12 per month.

The name of Catherine J. V. Racey Young, widow of J. Morris Young, late colonel Fifth Regiment Iowa Volunteer Cavalry, and pay her a pension at the rate of \$12 per month.

The name of Victoria Flicker, former widow of John Stotzhelm, late of Company C, Twenty-fourth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of \$8 per month.

The name of William W. Payton, late of Company K, Nineteenth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Mary J. Martin, widow of Robert B. Martin, late captain Company D, Fifty-seventh Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of John Sargent, late of Company A, First Battalion Fourteenth Regiment United States Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Josephine E. Peabody, widow of Warren A. Peabody, late musician, First Brigade Band, Second Division, Ninth Army Corps, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The name of Charles W. Foss, late of Company E, First Regiment New Hampshire Volunteer Heavy Artillery, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Hattie T. Atwood, widow of Ambrose L. Atwood, late of Company K, Ninth Regiment Rhode Island Volunteer Infantry, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The name of Elizabeth W. Shaw, widow of James Shaw, late colonel Seventh Regiment United States Colored Volunteer Infantry, and pay her a pension at the rate of \$30 per month in lieu of that she is now receiving.

The name of Robert P. Faris, late of Companies G and B, Forty-seventh Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of J. Rock Williamson, late of Company G, One hundred and fifth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Frederick A. Heebner, late of Company F, Twelfth Regiment Indiana Volunteer Cavalry, and pay him a pension at the rate of \$24 per month.

The name of Charles Clark, late of Company K, Eleventh Regiment Minnesota Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Mary C. Mulholland, widow of Charles Bradley Mulholland, late acting third assistant engineer, United States Navy, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The name of John H. Vickery, late of Company B, Tenth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Eliza J. Roberts, widow of David F. Roberts, late of U. S. S. North Carolina, Niagara, and Anacostia, United States Navy, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Jona H. Roberts, helpless and dependent child of the said David F. Roberts, the additional pension herein granted shall cease and determine.

The name of Josephine E. Wooster, widow of Samuel R. Wooster, late major and surgeon, First Regiment Michigan Volunteer Cavalry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of James Ennis, late of Company A, Fourth Regiment Wisconsin Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of James B. Wolgemuth, late of Company H, Seventy-third Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of William S. Clark, late of Company K, Third Regiment New Jersey Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Lucretia Wilson, widow of John W. Wilson, late second lieutenant Company H, Fifty-seventh Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$16 per month in lieu of that she is now receiving.

The name of Legare Potter, late first lieutenant Company K, Fourth Regiment Wisconsin Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Stephen J. Hook, late of Company F, Forty-second Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Alonzo D. Holland, late of Company M, First Regiment Michigan Volunteer Engineers and Mechanics, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of John Serrine, late of Company C, Seventieth Regiment New York Volunteer Infantry, and Company D, Second Regiment United States Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Jesse F. Logsdon, late of Company A, First Regiment Oregon Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Lewis C. Cleavinger, late of Company C, Thirty-fourth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Paul Stowell, late of Company G, One hundred and Fifty-seventh Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of William Weston, late of Company E, Fifth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of John Chase, late of Company K, Thirty-ninth Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of John Allman, late of Company E, Thirty-sixth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of Nelson Moore, late of Company A, Sixth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Joseph M. Feather, late of Company F, Seventeenth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Ambrose P. Phillips, late of Company G, Eleventh Regiment Maine Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Alfred W. Wright, late of Company H, and first lieutenant Company B, Eighteenth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Isabella Ann Irvin, widow of Charles H. Irvin, late captain and assistant quartermaster, United States Volunteers, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of John S. Landon, late of Company C, Thirteenth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Lavinia B. Persons, widow of Henry S. Persons, late of Company C, Twenty-fifth Regiment Connecticut Volunteer Infantry, and pay her a pension at the rate of \$16 per month in lieu of that she is now receiving.

The name of Charles S. Leonard, alias Abner L. Wilcox, late of Company B, Second Regiment United States Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Ida L. Read, widow of Burleigh C. D. Read, late of Company B, One hundred and thirty-second Regiment Ohio National Guard Infantry, and pay her a pension at the rate of \$12 per month

in lieu of that she is now receiving, and \$2 per month additional on account of the minor child of said Burleigh C. D. Read until he reaches the age of 16 years.

The name of John A. Van Pelt, late of Company D, One hundred and twenty-seventh Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Hugh H. McCurry, late of Company F, First Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Celia A. Smith, widow of Sidney G. Smith, late of Company K, Seventeenth Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The name of George M. D. Wells, late of Company K, Fifteenth Regiment, and Company F, Tenth Regiment, West Virginia Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of William H. Stiles, late of Company G, Twelfth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The bill was ordered to a third reading, and it was accordingly read the third time and passed.

INCREASE OF PENSIONS TO SOLDIERS AND SAILORS, CIVIL WAR.

The next pension business was the bill (S. 5110) granting pensions and increase of pensions to certain soldiers and sailors of the civil war and certain widows and dependent children of such soldiers and sailors.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws—

The name of Cassie R. Hatch, helpless and dependent child of Albion L. Hatch, late of Company F, Twenty-fourth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The name of Franklin L. Mead, late of Company E, One hundred and forty-eighth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of James B. Fox, late of Company C, Forty-first Regiment Iowa Volunteer Infantry, and Company M, Seventh Regiment Iowa Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of William W. Daniels, late of Company H, Ninety-fifth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Sarah S. Long, widow of Daniel P. Long, late major, Eighth Regiment United States Colored Volunteer Heavy Artillery, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Waldo W. Gifford, late of Company G, Twelfth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Rose L. Gibbon, widow of Homer E. Gibbon, late of Company F, Eighty-fifth Regiment, and Company E, One hundred and twenty-ninth Regiment, Ohio Volunteer Infantry, and pay her a pension at the rate of \$16 per month in lieu of that she is now receiving.

The name of Henry Kinyon, late of Company A, One hundred and fifth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Mary Beddis, widow of Charles Beddis, late of Company D, Fifth Regiment Delaware Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The name of Ellis A. Cloud, late of Company G, Fifth Regiment Delaware Volunteer Infantry, and pay him a pension at the rate of \$12 per month.

The name of Jasper N. Clark, late of Company I, Second Regiment Vermont Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of William B. Cole, late of Company E, Tenth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of James A. Minish, late of Company F, One hundred and fifth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Clara M. Foreman, widow of William Foreman, late of Company A, First Battalion Pennsylvania Volunteer Cavalry, and pay her a pension at the rate of \$12 per month.

The name of Philo M. Russell, late of Company G, Twenty-eighth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Mary J. McReynolds, widow of James T. McReynolds, late of Company C, Fifty-eighth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of John C. McReynolds, helpless and dependent child of said James T. McReynolds, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death or remarriage of Mary J. McReynolds, the name of the said John C. McReynolds shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of \$12 per month from and after the death or remarriage of said Mary J. McReynolds.

The name of Virginia C. Cole, widow of Edwin A. Cole, late of Companies D and F, Eighty-third Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Herbert Cole, helpless and dependent child of said Edwin A. Cole, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death or remarriage of Virginia C. Cole the name of the said Herbert Cole shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of \$12 per month from and after the date of the death or remarriage of said Virginia C. Cole.

The name of Dorothy M. Van Hart, widow of Isaac Van Hart, late of Company B, Thirtieth and Thirty-fifth Regiments New Jersey Volunteer Infantry, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The name of Henrietta Hayes, widow of William Hayes, late first lieutenant Company C, Thirtieth Regiment New Jersey Volunteer Infantry, and pay her a pension at the rate of \$15 per month in lieu of that she is now receiving.

The name of Ellen Jenkins, widow of Jacob Jenkins, late of Company K, Twenty-fifth Regiment New Jersey Volunteer Infantry, and pay her a pension at the rate of \$16 per month in lieu of that she is now receiving.

The name of Chauncey Harris, late captain Company C, Fourteenth Regiment New Jersey Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Byron D. Brown, late of Company E, Ninth Regiment Vermont Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of James M. Caswell, late musician, band, Second Brigade, Third Division, Twenty-fourth Army Corps, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of George H. Walsh, late quartermaster-sergeant, Tenth Regiment Minnesota Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Collins Van Cleve, late captain Company F, Ninth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of William O. Pickett, late of Company H, Twenty-third Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Mary E. Farnham, widow of Roswell Farnham, late lieutenant-colonel Twelfth Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Peter B. Groat, late of Company A, Marion County Battalion, Missouri Home Guards, and pay him a pension at the rate of \$12 per month.

The name of Duncan M. Vinsonhale, late first lieutenant Company I, Forty-eighth Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Jennie P. Douglas, widow of Henry C. Douglas, late captain Company K, Thirty-first Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Anna R. Shattuck, widow of George S. Shattuck, late of Company C, Tenth Regiment Pennsylvania Reserve Volunteer Infantry, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The name of Lewis Shampine, late of Company K, Sixtieth Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Spencer Phillips, late of Company E, Third Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of David Schooley, late of Company I, Eleventh Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Charles W. Salter, late of Company K, Fifty-first Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Lewis H. Shiere, late of Company E, Thirty-first Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Rosa A. Kinkade, widow of James W. Kinkade, late of Company H, Eighth Regiment Iowa Volunteer Cavalry, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The name of George Steckenbauer, late of Company A, Twenty-third Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of Nellie B. Young, widow of George W. Young, late of Company H, Thirteenth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The name of William H. Hiff, late of Company D, Twelfth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Joseph Fisher, late of Company C, Thirty-eighth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Mary L. Marpe, widow of Theodore Henry Marpe, late of Company G, Fifth Regiment Ohio Volunteer Cavalry, and pay her a pension at the rate of \$8 per month.

The name of Emeline H. Ewer, widow of James K. Ewer, late of Company C, Third Regiment Massachusetts Volunteer Cavalry, and pay her a pension at the rate of \$12 per month.

The name of Joseph H. Suits, late of Company B, Twenty-second Regiment New York Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Sarah F. Wimmer, widow of John P. Wimmer, late of Captain Smith's independent company, Utah Volunteer Cavalry, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving and \$2 per month additional on account of the minor child of the said John P. Wimmer until she reaches the age of 16 years.

The name of Martin Bahrenburg, late of Company C, Fifth Regiment Missouri State Militia Cavalry, and Company E, Thirteenth Regiment Missouri Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Francis Ashens, late of Company M, Fifteenth Regiment Kansas Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Lavinia Ogden, widow of Joseph G. Ogden, late of Company A, First Regiment New Jersey Volunteer Infantry, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The name of Louis H. Leland, late of Companies C and D, Eighth Regiment Michigan Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of William H. Draper, late of Company K, Twentieth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of James Saunders, late of Company B, Seventy-eighth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Stephen H. Pulling, late of Company E, Thirteenth Regiment New York Volunteer Heavy Artillery, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Donna M. Blatter, widow of John Blatter, late first lieutenant Company D, Ninety-eighth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The name of Elizabeth P. Collins, former widow of Charles B. Peterson, late of Company A, Twenty-first Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$8 per month.

The name of Edmund J. Pickett, late of Company A, Sixteenth Regiment New York Volunteer Cavalry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Hattie L. Collins, widow of William T. Collins, late of Company A, Second Regiment United States Sharpshooters, and pay her a pension at the rate of \$16 per month in lieu of that she is now receiving.

The name of Robert Flett, late of Company F, Fifth Regiment Michigan Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Charles L. Hewitt, late of Company E, Seventh Regiment Connecticut Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Hiram W. Shepard, late of Company D, Twelfth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Henry C. Linn, late assistant surgeon, Twelfth Regiment Missouri Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of John W. Moore, late of Company E, Fiftieth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Louise Ladue Duffield, widow of William W. Duffield, late colonel Ninth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of \$30 per month in lieu of that she is now receiving.

The name of Jesse Prickett, late second Lieutenant Company E, Thirty-seventh Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of George Young, late of Company C, Eighteenth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Arthur Ricker, late of Company B, Fifth Regiment Maine Volunteer Infantry, and Company I, Thirtieth Regiment Maine Veteran Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Ruth E. Bannatyne, widow of Robert W. Bannatyne, late captain Company B, Fifty-second Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Austin Parks, late of Company F, Thirty-ninth Regiment, and Company F, Seventh Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Louisa S. Wilson, helpless and dependent child of John F. Wilson, late of Company E, Sixteenth Regiment Connecticut Volunteer Infantry, and Company F, Third Regiment Veteran Reserve Corps, and pay her a pension at the rate of \$12 per month.

The name of De Forest Safford, late of Company F, Forty-fourth Regiment Massachusetts Militia Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Thomas S. Ball, late of Company B, Tenth Regiment Maryland Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Emma H. Cotton, widow of John A. Cotton, late first lieutenant and commissary Seventeenth Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of \$17 per month in lieu of that she is now receiving.

The name of Hugh H. Tarbet, U. S. S. Great Western, United States Navy, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Helen A. Pulsifer, widow of Josiah D. Pulsifer, late major and additional paymaster, United States Volunteers, and pay her a pension at the rate of \$25 per month in lieu of that she is now receiving.

The name of Henry Dorman, late of Company F, Seventh Regiment Michigan Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

Mr. SULLOWAY. Mr. Speaker, on page 14, line 22, I move to strike out "thirty" and insert "forty." I desire to state to the House that this beneficiary is 109 years old. He served two years and a half during the civil war. I think he ought to have an increase of \$10.

The Clerk read as follows:

On page 14, line 22, strike out "thirty" and insert "forty."

The question was taken, and the amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and it being engrossed, it was accordingly read the third time and passed.

JOHN McNALLY.

The next pension business was the bill (H. R. 10377) granting an increase of pension to John McNally.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John McNally, late of Company F, Tenth Regiment Vermont Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The bill as amended was ordered to be engrossed for a third reading; and it being engrossed, it was accordingly read the third time and passed.

CALESTA CLARK.

The next pension business was the bill (S. 406) granting a pension to Calesta Clark.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Calesta

Clark, widow of Joseph Clark, late of Company G, Twenty-fifth Regiment United States Infantry, and pay her a pension at the rate of \$12 per month.

The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

ELMER HONNYMAN.

The next pension business was the bill (S. 1746) granting a pension to Elmer Honnyman.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Elmer Honnyman, late of Company A, First Regiment Nevada Volunteer Cavalry, war with Spain, and pay him a pension at the rate of \$20 per month.

The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

INCREASE OF PENSIONS TO SOLDIERS AND SAILORS, REGULAR ARMY AND NAVY.

The next pension business was the bill (S. 5255) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the civil war, and to widows and dependent relatives of such soldiers and sailors.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws—

The name of Rachel Beatty, widow of William L. Beatty, late of Company A, Third Regiment United States Dragoons, war with Mexico, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The name of Jane Payne, widow of Anderson L. Payne, late of Company K, First Regiment North Carolina Volunteer Infantry, war with Mexico, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The name of Frances V. Dallas, widow of Alexander James Dallas, late major Twenty-third Regiment, and lieutenant-colonel Twenty-second Regiment United States Infantry, and pay her a pension at the rate of \$35 per month in lieu of that she is now receiving.

The name of William Lind, late of Capt. William Young's company, California Volunteers, California Indian disturbance, and pay him a pension at the rate of \$8 per month.

The name of George H. Thorpe, late of Company L, Second Regiment Kentucky Volunteer Infantry, war with Spain, and pay him a pension at the rate of \$12 per month.

The name of Augusta C. Stouch, widow of George W. H. Stouch, late captain, Third Regiment United States Infantry, and lieutenant-colonel, United States Army, retired, and pay her a pension at the rate of \$30 per month in lieu of that she is now receiving.

The name of Van Ogle, late first lieutenant Company B, Washington Territory Volunteers, Oregon and Washington Territory Indian war, and pay him a pension at the rate of \$16 per month in lieu of that he is now receiving.

The name of Adam S. Bridgefarmer, late of Capt. Hiram Wilber's Company B, First Regiment Oregon Mounted Volunteers, Oregon and Washington Territory Indian war, and pay him a pension at the rate of \$16 per month in lieu of that he is now receiving.

The name of John Burkman, late of Company K, Fifth Regiment Missouri Volunteer Infantry, and Troop L, Seventh Regiment United States Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Hardin E. Runnels, late of Company B, Eighth Regiment United States Cavalry, and pay him a pension at the rate of \$10 per month.

The name of Sadonia Pierce, widow of Riley W. Pierce, late of Capt. James Smith's company, Texas Mounted Volunteers, war with Mexico, and pay her a pension at the rate of \$8 per month.

The name of Hansford D. Wall, late of Capt. Winston Stephen's company, Florida Volunteers, Seminole Indian war, and pay him a pension at the rate of \$16 per month in lieu of that he is now receiving.

The name of Annie M. Dancy, dependent mother of George L. Dancy, late of Company F, First Regiment Florida Volunteer Infantry, war with Spain, and pay her a pension at the rate of \$12 per month.

The name of Mary M. Wells, widow of Giles Wells, late of Company K, Second Regiment Illinois Volunteers, war with Mexico, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The name of Fannie W. Reading, widow of Pearson B. Reading, late paymaster, Fremont's Battalion, California Volunteers, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The name of Eloise Wilkinson, widow of George Wilkinson, late of Troop E, Fifth Regiment United States Cavalry, and pay her a pension at the rate of \$12 per month.

The name of Lavinia A. E. Rogers, widow of William W. Rogers, late of Captain Sweet's company, Georgia Mounted Volunteers, Florida Indian war, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The name of Mary Varn, widow of George Varn, late of Captain Hutchinson's company, Florida Volunteers, Florida Indian war, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The name of Owen J. Revels, late of Captain Whitehead's company, First Regiment Florida Mounted Volunteers, Seminole Indian war, and pay him a pension at the rate of \$16 per month in lieu of that he is now receiving.

The name of Anna Cochran, widow of Charles H. Cochran, late first lieutenant, Seventh Regiment United States Infantry and pay her a pension at the rate of \$25 per month in lieu of that she is now receiving.

The name of H. Rowan Sausley, late second lieutenant Company F, Second Regiment Kentucky Volunteer Infantry, war with Spain, and pay him a pension at the rate of \$12 per month.

The name of Archibald N. Hogans, late of Captain Hart's independent company, Florida Mounted Volunteers, Florida Indian war, and pay him a pension at the rate of \$16 per month in lieu of that he is now receiving.

The name of Emil Kuhlblank, late landsman United States steamship Pales, United States Navy, and pay him a pension at the rate of \$12 per month.

The amendments recommended by the committee were read, as follows:

On page 2 strike out lines 11, 12, 13, and 14.
On page 3 strike out lines 9, 10, 11, 12, and 13.
On page 5 strike out lines 12, 13, 14, 15, 20, 21, 22.
On page 4 in line 11, after "Volunteers," insert "war with Mexico."

The amendments were agreed to.

The bill as amended was ordered to a third reading; and it was accordingly read the third time and passed.

WILLIAM R. PHILLIPS.

The next pension business was the bill (H. R. 1399) granting a pension to William R. Phillips.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William R. Phillips, late of Company —, Seventy-sixth Regiment Coast Artillery, and pay him a pension at the rate of \$24 per month.

The amendments recommended by the committee were read, as follows:

In line 6, after "late of," strike out "Company."
In line 7 strike out "Regiment" and insert "Company, United States."
Strike out all in the bill after the word "Artillery."

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

ROY L. JONES.

The next pension business was the bill (H. R. 2932) granting a pension to Roy L. Jones.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Roy L. Jones, late of Company L, Fourth Regiment Illinois Volunteer Infantry, war with Spain, and pay him a pension at the rate of \$20 per month.

The amendments recommended by the committee were read, as follows:

In line 7 strike out "Volunteer."
In line 8 strike out "twenty" and insert "twelve."

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

JOHN HEARN.

The next pension business was the bill (H. R. 9621) granting a pension to John Hearn.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Hearn, late of Company E, Sixty-ninth Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$20 per month.

The amendments recommended by the committee were read, as follows:

In line 7, after "Infantry," insert "war with Spain."
In line 8 strike out "twenty" and insert "thirty."

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

MARTHA A. SIMMS.

The next pension business was the bill (H. R. 10848) granting an increase of pension to Martha A. Simms.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Martha A. Simms, widow of John H. Simms, late private of Captain Edgington's company, Virginia Militia, war of 1812, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out "private."
In line 7 change "Edgington's" to "Edington's."
In line 9 strike out "forty" and insert "twenty-four."

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

GAY W. SCHELL.

The next pension business was the bill (H. R. 13584) granting an increase of pension to Gay Warren Schell.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Gay Warren Schell, widow of Franklin J. Schell, late a lieutenant-commander in the United States Navy, and pay her a pension at the rate of \$35 per month in lieu of that she is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6, after "late," strike out "a."
In line 7 strike out "commander in the."

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

The title was amended so as to read: "A bill granting an increase of pension to Gay W. Schell."

JOHN LICHTENBERGER.

The next pension business was the bill (H. R. 13887) granting a pension to John Lichtenberger.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Lichtenberger, late of Company C, Ninth Regiment Illinois Volunteer Infantry, war with Spain, and pay him a pension at the rate of \$24 per month.

The amendments recommended by the committee were read, as follows:

In line 7 strike out "Volunteer," and strike out all in the bill after the word "Spain."

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

STERLING A. GALT.

The next pension business was the bill (H. R. 14368) granting a pension to Sterling A. Galt.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Sterling A. Galt, late of Company G, First North Dakota Infantry, and Company F, Thirty-sixth United States Volunteer Infantry, and pay him a pension at the rate of \$20 per month.

The amendments recommended by the committee were read, as follows:

In line 8, after "Infantry," insert "war with Spain."
In the same line strike out "twenty" and insert "fifteen."

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

REBECCA WILLIAMS.

The next pension business was the bill (H. R. 15531) granting an increase of pension to Rebeckah Williams.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Rebeckah Williams, widow of Augustus H. Williams, late of — company, Georgia Volunteers, Indian war, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The amendments recommended by the committee were read, as follows:

Amend so as to change claimant's name where it appears in the title and body of the bill to "Rebecca."
In line 7, after "of," insert "Captain Greer's."
In the same line, before "Indian," insert "Creek."
In line 8 strike out "twenty" and insert "twelve."

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

WYATT ROBERSON.

The next pension business was the bill (H. R. 15810) granting an increase of pension to Wyatt Robinson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Wyatt Robinson, late of Captain Kelsey's independent company, North Carolina Mounted Infantry, Cherokee war, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

Change "Robinson," where it appears in the title and body of the bill, to "Roberson."
In line 6, after "Captain," insert "N."
In the same line strike out "independent."
In line 7 strike out "Mounted Infantry" and insert "Volunteers."
In the same line, after "Cherokee," insert "Indian," and in the same line strike out "war" and insert "disturbance."
In line 8 strike out "thirty" and insert "sixteen."

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

MARGARET E. M'GUIRE.

The next pension business was the bill (H. R. 15904) granting an increase of pension to Margaret E. McGuire.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Margaret E. McGuire, widow of Terance McGuire, late private in First Georgia Volunteers, in Mexican war, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 change "Terance" to "Terrance."
In line 7 strike out "private in" and insert "of Captain Dill's company."
In the same line, after "First," insert "Regiment."
In the same line strike out "in Mexican," and after "war," in the same line, insert "with Mexico."

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

THETUS R. HOBBS.

The next pension business was the bill (H. R. 17483) granting an increase of pension to T. R. Hobbs.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of T. R. Hobbs, widow of Calvin Hobbs, late of Company E, First Regiment Mississippi Volunteer Infantry, war with Mexico, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The amendments recommended by the committee were read, as follows:

Change the initial "T." where it appears in claimant's name in the title and body of the bill to "Thetus."
In line 7 change "Volunteer" to "Volunteers," and in the same line strike out "Infantry."

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

CHARLES PHARAZYN.

The next pension business was the bill (H. R. 17763) granting an increase of pension to Charles Phorazyn.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles Phorazyn, late of Batteries E and I, Third United States Artillery, and pay him a pension at the rate of \$16 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

Change "Phorazyn" where it appears in the title and the body of the bill to "Pharazyn."
In line 7, after "Artillery," insert "Florida Indian war."

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

On motion of Mr. LOUDENSLAGER, a motion to reconsider the several votes by which the various bills were passed was laid on the table.

ORDER OF BUSINESS.

Mr. MONDELL. Mr. Speaker, I call up for consideration the bill H. R. 15852, with an amendment.

Mr. MANN. Well, Mr. Speaker, I supposed the gentleman would move to consider the bills in Committee of the Whole House.

The SPEAKER. All bills on the Private Calendar under the rule will be considered in the Committee of the Whole House, unless by unanimous consent.

Mr. MANN. The gentleman can move to go into Committee of the Whole for consideration of the bills.

Mr. MONDELL. Well, Mr. Speaker, I ask unanimous consent that the bills may be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Wyoming asks unanimous consent that the bills on the Private Calendar reported from the Committee on the Public Lands be considered in the House as in Committee of the Whole.

Mr. MANN. I object. The gentleman knew I would object.

Mr. MONDELL. I call up the bill now.

Mr. MANN. All bills on the House Calendar under the rules must be considered in the Committee of the Whole House. Now, unanimous consent was not given, and the gentleman can move to go into Committee of the Whole House.

The SPEAKER. Undoubtedly.

Mr. MANN. For the purpose of considering the bills on the Private Calendar reported from his committee.

The SPEAKER. From the Committee on the Public Lands.

Mr. MONDELL. Well, Mr. Speaker, I move that the House resolve itself into Committee of the Whole House for the consideration of bills on the Private Calendar reported from the Committee on the Public Lands.

The question was taken, and the motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House, Mr. LOUDENSLAGER in the chair.

The CHAIRMAN. The House is in Committee of the Whole House for the consideration of bills on the Private Calendar reported from the Committee on the Public Lands. The Clerk will report the first bill.

HOT SPRINGS RESERVATION, ARK.

The first business was the bill H. R. 15852.

A bill (H. R. 15852) to confer title in fee and to authorize the disposition of certain lots now situate on Hot Springs Reservation, in the State of Arkansas, and for other purposes.

Whereas by section 5 of the act of the Congress entitled "An act for the establishment of land titles in Hot Springs, and for other purposes," approved June 16, 1880, the Secretary of the Interior was authorized to designate six lots of the unawarded grounds on the Hot Springs Reservation for the use of the common schools of the corporation of the town of Hot Springs as sites for schoolhouses, to be used, controlled, and managed by the common school officers of the district in which they may be located for such purposes only; and

Whereas the Secretary of the Interior, pursuant to said act, did, by his order dated January 14, 1881, and a subsequent order dated February 19, 1881, designate for the purposes in said act mentioned the following lots situate on said reservation, namely: Lot No. 2, in block No. 72; lot No. 10, in block No. 48; lot No. 8, in block No. 93; lot No. 8, in block No. 146; lot No. 18, in block No. 135, and lot No. 21, in block No. 138; and

Whereas by a subsequent act of the Congress the school officers of said school district were authorized to sell the said lot No. 8, in block No. 93; and

Whereas the best interest of the public schools of the said school district of Hot Springs, in which said lots are situated, will be subserved by vesting the absolute title to said lots in said district: Therefore

Be it enacted, etc., That all the estate, right, title, and interest, and all right of reversion of the United States in and to lot No. 2, in block No. 72; lot No. 10, in block No. 48; lot No. 8, in block No. 146; lot No. 18, in block No. 135; and lot No. 21, in block No. 138, situate on the Hot Springs reservation, in the school district of Hot Springs, in the State of Arkansas, be, and is, granted to and vested in the said school district of Hot Springs, with full power and authority of the officers of said school district to manage, control, sell, pledge, or dispose of the same, or any part thereof, at their discretion, for the use of said school district and the public schools thereof.

SEC. 2. That all laws and parts of laws in conflict with this act be, and the same are hereby, repealed.

SEC. 3. That this act shall take effect and be in force from and after its passage.

Mr. MONDELL. Mr. Speaker, I move that the bill be amended by striking out the preamble, and that, when so amended, it be laid aside with a favorable recommendation.

The question was taken, and the amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

HOMESTEAD TO CHILDREN OF PAUL CLENDENIN.

The next business on the Private Calendar was the bill (S. 392) to confirm homestead entry made by guardian for the benefit of Dorothea Clendenin and Paul Dana Clendenin, minor orphan children of Paul Clendenin, late surgeon major, United States Volunteers.

The bill was read, as follows:

An act (S. 392) to confirm homestead entry made by guardian for the benefit of Dorothea Clendenin and Paul Dana Clendenin, minor orphan children of Paul Clendenin, late surgeon major, United States Volunteers.

Be it enacted, etc., That homestead entry No. 24024, made July 15, 1903, at Minot, now Williston, N. Dak., land district, by Clement A. Lounsbury, guardian of the person and estate of Dorothea Clendenin, under section 2307 of the Revised Statutes of the United States, for the northwest quarter of the northeast quarter, northeast quarter of the northwest quarter section 14, and southeast quarter of the southwest quarter and the southwest quarter of the southeast quarter section 11, township 152 north, range 104 west, fifth principal meridian, containing 160 acres, be, and is hereby, confirmed; and upon satisfactory proof of compliance with the requirements of the homestead laws as to cultivation and improvements the Commissioner of the General Land

Office is hereby directed to issue patent for the said described land in favor of Dorothea Clendenin and Paul Dana Clendenin, minor orphan children of Paul Clendenin, late surgeon major, United States Volunteers.

Mr. MONDELL. Mr. Chairman, I move that the bill be laid aside with a favorable recommendation.

The motion was agreed to.

WOODWARD, OKLA.

The next business on the Private Calendar was the bill (H. R. 12773) granting to the city of Woodward, in the State of Oklahoma, lot 2, in block 48, for park and other public purposes.

The bill was read, as follows:

A bill (H. R. 12773) granting to the city of Woodward, in the State of Oklahoma, lot 2, in block 48, for park and other public purposes.

Be it enacted, etc., That lot No. 1, in block No. 48, in the city of Woodward and State of Oklahoma, be, and the same is hereby, granted to said city of Woodward, for the use and benefit of the inhabitants of said city, for park and other public purposes.

The amendment recommended by the committee was read, as follows:

Strike out the word "one" in line 3 and insert in lieu thereof the word "two," and that as thus amended the bill do pass.

Mr. MANN. Mr. Chairman, I would like to ask the gentleman why they did not accept the proposition or the recommendation made by the Secretary of the Interior in regard to this bill.

Mr. MONDELL. What recommendation? My impression is that the Secretary made no other recommendation than that carried out in the bill.

Mr. MANN. Then the gentleman's impression is incorrect. Has the gentleman a copy of the report there?

Mr. MONDELL. I have.

Mr. MANN. He will notice that in next to the last paragraph of the report the Secretary says:

I recommend, if deemed wise to enact the contemplated legislation, that the body of the bill be amended to read:

Then he sets out the way he thinks the bill ought to read, but it does not read that way at all. No such change was made by the committee.

Mr. MONDELL. Well, Mr. Chairman, the committee was under the impression that that charge was not necessary; that there was no question as to the grantee in this case, and could be no question, and therefore the change suggested by the Secretary was not necessary.

Mr. FULTON. If the gentleman will permit me, the form as suggested by the Secretary was simply, if the town was duly incorporated, etc. I think I made the statement there that it was. I know that was not very good evidence; possibly the best evidence that it was incorporated would be that it was incorporated.

Mr. MANN. The gentleman's evidence would be good with me as to that.

Mr. FULTON. From a legal standpoint. It is on that ground that he made the suggestion.

Mr. MANN. I suppose the gentleman is well posted in reference to this bill?

Mr. FULTON. Yes.

Mr. MANN. It seems that the Government has already granted title to land to this city—it is a city?

Mr. FULTON. Yes.

Mr. MANN. How many inhabitants has it?

Mr. FULTON. About 3,000.

Mr. MANN. The Government has already granted to this city 8.82 acres and also 26.74 acres, or 35 acres of ground, a considerable amount of ground, but they are not satisfied with that. They want all that the Government has there. Does not the gentleman think there ought to be a limit to the demand made by a city of 3,000 people upon the amount of land they want to take away from the Government?

Mr. FULTON. Certainly, but if the gentleman will permit me, these other tracts were granted at the time of the incorporation of the town, at the time of the opening of the land for settlement, and were reserved for different public purposes. Now, in this tract, including what we want, there are 6 acres, according to my recollection. It is used now for city purposes. It was originally granted to the county for the county courthouse, and they deeded it back to the Government, and the Government deeded it back to the town, all except this acre and a half additional. It is of no use to anybody as it is now. The Government does not want it, and it spoils the remainder of the tract. That is the reason why we ask for it.

The CHAIRMAN. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

Mr. MONDELL. I move that the bill as amended be laid aside to be reported to the House with a favorable recommendation.

The motion was agreed to.

CHANDLER BASSETT.

The next business on the Private Calendar was the bill (H. R. 12803) allowing Chandler Bassett to perfect final proof in his homestead entry.

The bill was read, as follows:

Be it enacted, etc., That homestead entry No. 2810, made by Chandler Bassett, for lots 1 and 2 and the south one-half of the northeast one-quarter of section 5, township 30 north, range 25 east, of the Willamette meridian, in the State of Washington, shall proceed to patent if there is no other objection thereto than the fact that said Chandler Bassett commuted homestead entry No. 4267 for the northwest one-quarter of section 18, township 140 north, range 63 west, Fargo, N. Dak., under section 2 of the act of June 15, 1880.

Mr. MONDELL. Mr. Chairman, my attention has been called to the fact that the name of the party whose title is to be confirmed is "Chandler" in the bill and "Chanler" in the report of the Department. I should like to inquire of the gentleman from Washington if he knows which is the correct spelling.

Mr. JONES of Washington. I think it should be "Chandler," because I took it from the letter of the entryman.

Mr. MANN. The report of the Department shows that the other man made the entry.

Mr. JONES of Washington. I think that is a mistake in the printing of the report, because there is no doubt about this referring to the gentleman named in the bill.

Mr. MONDELL. I move that the bill be laid aside to be reported to the House with a favorable recommendation.

The motion was agreed to.

GERTRUDE HALVERSON AABY.

The next business on the Private Calendar was the bill (S. 720) to confirm an entry made by Gertrude Halverson Aaby, widow of Sigbjorn H. Aaby.

The bill was read, as follows:

Be it enacted, etc., That the final homestead entry heretofore made by Gertrude Halverson Aaby, widow of Sigbjorn H. Aaby, for the east half of the northwest quarter of section 27, township 148 north, range 38 west, fifth principal meridian, in the State of Minnesota, be, and the same is hereby, confirmed, and the Commissioner of the General Land Office is hereby authorized and directed to cause patent to issue thereunder.

Mr. MONDELL. I move that the bill be laid aside to be reported to the House with a favorable recommendation.

The motion was agreed to.

STENE ENGBERG.

The next business on the Private Calendar was the bill (S. 1666) for the relief of Stene Engeborg.

The bill was read, as follows:

Be it enacted, etc., That the Commissioner of the General Land Office be, and he is hereby, authorized and directed to cause a patent to issue to Stene Engeborg for lots 1 and 2 and the south half of the northeast quarter of section 2, in township 159 north, of range 87 west, in the State of North Dakota.

Mr. MONDELL. I move that the bill be laid aside to be reported to the House with a favorable recommendation.

The motion was agreed to.

DOLLIE A. FOUNTAIN.

The next business on the Private Calendar was the bill (S. 1774) to permit Dollie A. Fountain, of Walworth County, S. Dak., to purchase certain land.

The bill was read, as follows:

Be it enacted, etc., That Dollie A. Fountain be, and she is hereby, permitted to purchase the west half of the southeast quarter of section 5 and the west half of the northeast quarter of section 8, in township 128 north of range 78 west of the fifth principal meridian from the Government by paying therefor the Government price of \$1.25 per acre, and that upon the payment of said Government price a patent in usual form shall be issued for said land conveying the same in fee simple to the said Dollie A. Fountain, her heirs and assigns, forever, any law of the United States to the contrary notwithstanding.

Mr. MONDELL. I move that the bill be laid aside to be reported to the House with a favorable recommendation.

The motion was agreed to.

WESTERN POWER COMPANY.

The next business on the Private Calendar was the bill (H. R. 15725) to relinquish, release, and confirm the title of certain lands in California to the Western Power Company.

The bill was read, as follows:

Whereas the lands hereinafter described and embraced within certain Indian allotments, and also situate in Susanville land district, have been condemned for public uses and paid for, under the act of March 3, 1901 (31 Stats., pp. 1058 and 1084), by the Western Power Company, a corporation; and

Whereas said company has no other evidence of title to said lands than the decrees of condemnation rendered by the superior court of Plumas County, State of California, in favor of said company against those certain Indian allotments embracing said lands, whereby the fee-simple title to said lands was vested in said company, and in order that the title to said lands may be confirmed to said company: Therefore

Be it enacted, etc., That all the interest of the United States in and to the land in the Susanville land district, in the State of California, known and described as the north half of the northwest quarter of section 22, the southwest quarter of the northwest quarter and the west half of the southwest quarter of section 27, the west half of the northwest quarter of section 34 in township 27 north, range 7 east, Mount Diablo base and meridian, and the southeast quarter of the southeast quarter of section 7, the north half of the southwest quarter of section 8, the southeast quarter of the southwest quarter of section 15, the northwest quarter, the west half of the northeast quarter, and the southeast quarter of the northeast quarter of section 17, the northeast quarter of the northeast quarter of section 18; also a portion of section 21, beginning at the east quarter corner of section 21; thence south 660 feet; thence south 45 degrees west 1,866 feet, to a point 660 feet north from the south section line of the said section; thence north 1,980 feet to the east and west half section line of said section; thence east 1,320 feet to the point of beginning, containing 40 acres; and the east half of the northwest quarter of section 22 in township 27 north, range 8 east, Mount Diablo base and meridian, and the southwest quarter of the northeast quarter of the northeast quarter of section 28 in township 28 north, range 8 east, Mount Diablo base and meridian, aggregating in all 890 acres, is hereby relinquished, released, and confirmed to the Western Power Company, a corporation organized and existing under the laws of the State of California.

With the following committee amendment:

Strike out the preamble.

Mr. MONDELL. I move that the committee amendment be adopted and that the bill as amended be laid aside, to be reported to the House with a favorable recommendation.

Mr. MANN. Was this bill transferred to the Private Calendar?

Mr. MONDELL. This bill is on the Private Calendar.

Mr. MANN. It did not go to the Private Calendar when it was reported?

Mr. MONDELL. It is now on the Private Calendar.

The CHAIRMAN. Does the gentleman from Illinois raise a question as to the Calendar to which this bill was referred?

Mr. MANN. If it is not on the Private Calendar, I do.

The CHAIRMAN. It was so transferred.

Mr. MANN. That was what I asked.

The committee amendment was agreed to.

The bill as amended was ordered to be laid aside, to be reported to the House with a favorable recommendation.

ANNA JOHNSON.

The next bill on the Private Calendar reported from the Committee on Public Lands was the bill (H. R. 16770) granting land to Anna Johnson.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized and directed to issue to Anna Johnson, wife of Ging Sing, alias Jim Johnson, a patent to the following-described land, to wit: The south quarter of section 29 in township 13 south of range 3 east of the New Mexico principal meridian.

With the following committee amendments:

In line 6 strike out the word "south" and insert "southwest."

In line 7 strike out the word "three" and insert "twenty-five."

The amendments were agreed to.

The bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

Mr. MONDELL. Mr. Chairman, I move that the committee do now rise and report the bills to the House with the recommendation that the amendments be agreed to and that the bills as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. DAWSON, Chairman of the Committee of the Whole House, reported that that committee had had under consideration certain bills reported from the Committee on the Public Lands under the special order and ordered him to report the same back, some with and some without amendments, with the recommendation that the amendments be agreed to and that the bills as amended do pass.

The SPEAKER. The Clerk will report the first bill.

The Clerk read as follows:

The bill (H. R. 15852) to confer title in fee and to authorize the disposition of certain lots now situate on Hot Springs Reservation, in the State of Arkansas, and for other purposes.

The amendment was agreed to.

The bill was ordered to be engrossed and read the third time, was read the third time, and passed.

The Clerk read as follows:

The bill (S. 392) to confirm homestead entry made by guardian for the benefit of Dorothea Clendenin and Paul Dana Clendenin, minor orphan children of Paul Clendenin, late surgeon-major, United States Volunteers.

The bill was ordered to be read a third time, was read the third time, and passed.

The Clerk read as follows:

The bill (H. R. 12773) granting to the city of Woodward, in the State of Oklahoma, lot 2 in block 48 for a park and other public purposes.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The Clerk read as follows:

The bill (H. R. 12803) allowing Chandler Bassett to perfect final proof in his homestead entry.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The Clerk read as follows:

The bill (S. 720) to confirm an entry made by Gertrude Halverson Aaby, widow of Sigbjorn H. Aaby.

The bill was ordered to be read a third time, was read the third time, and passed.

The Clerk read as follows:

The bill (S. 1666) for the relief of Stene Engbert.

The bill was ordered to be read a third time, was read the third time, and passed.

The Clerk read as follows:

The bill (S. 1774) to permit Dollie A. Fountain, of Walworth County, S. Dak., to purchase certain lands.

The bill was ordered to be read a third time, was read the third time, and passed.

The Clerk read as follows:

The bill (H. R. 15725) to relinquish, release, and confirm the title of certain lands in California to the Western Power Company.

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

The Clerk read as follows:

The bill (H. R. 16730) granting land to Anna Johnson.

The amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed.

CHANGE OF REFERENCE.

By unanimous consent reference of House Document 704 was changed from the Committee on Accounts to the Committee on Appropriations.

LEAVE OF ABSENCE.

Mr. LANDIS, by unanimous consent, was given leave of absence for one week on account of important business.

WITHDRAWAL OF PAPERS.

Mr. BARCHFELD, by unanimous consent, was given leave to withdraw from the files of the House, without leaving copies, papers in the case of John Hand (H. R. 22165, Fifty-ninth Congress), no adverse report having been made thereon.

Mr. SOUTHWICK, by unanimous consent, was given leave to withdraw from the files of the House, without leaving copies, papers in the case of Daniel Leary (Fifty-ninth and subsequent Congresses) no adverse report having been made thereon.

POST-OFFICE APPROPRIATION BILL.

Mr. OVERSTREET. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 18347) making appropriations for the postal service; and pending that motion, I ask unanimous consent that until further order by the House whatever time may be used in general debate may be controlled equally by myself and the gentleman from Tennessee [Mr. Moon].

Mr. MANN. The gentleman will occupy the remainder of the afternoon in general debate?

Mr. OVERSTREET. All of to-day and to-morrow; to-morrow we hope to come to some agreement as to the limit of debate.

The SPEAKER. The gentleman from Indiana asks unanimous consent that the time in general debate may be controlled by himself and the gentleman from Tennessee [Mr. Moon]. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Indiana moves that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the post-office appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. OLMSTED in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 18347) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1909, and for other purposes.

Mr. OVERSTREET. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Indiana asks that the first reading of the bill be dispensed with. Is their objection?

There was no objection.

Mr. OVERSTREET. Mr. Chairman, the aggregate amount carried by the bill now before the committee is very large. There are only a reasonable number of items, many of them, however, being in large amounts, making apparently a heavy appropriation in the aggregate. A great proportion of the postal service under existing law fixes the compensation, and appropriations depending only upon the increase and changed conditions which flow from year to year in that large service. We have seen this enormous service increase in recent years until it is doubled practically every ten years. By comparison one year with another, however, it may be shown, and very clearly shown, that a careful scrutiny is had of the entire service by the Department. The estimates by the Department are in the main carefully drawn, and the committee have in the preparation of the bill in recent years, speaking only from my personal experience, given exceedingly great care in the preparation of the various items.

In bringing this measure to-day before the committee, carrying as it does \$220,766,192, the committee has not only been actuated by an honest and patient effort at economy, but has striven industriously and intelligently, we believe, with such adequate and ample provision for the various branches of the service that the high standard of efficiency which the country has enjoyed in the postal service will be maintained.

The appropriations for the entire service for the present fiscal year amount in the aggregate to \$212,091,193. Therefore the bill to-day recommended to the House carries an increase of appropriation over the current fiscal year in the aggregate of \$8,674,999. That proportion is not as great as the estimates recommended by the Department by reason of the fact that the committee make some reductions in the estimates upon its own initiative, and the Department itself, by reason of a number of revised estimates, conceded a less sum than the original estimates carried. It is fair to say that under existing laws estimates are prepared by the Department in the early fall.

In a service increasing as rapidly as the postal service January is a better time to accurately estimate than August or September. Therefore, when the Department officials appeared before the committee at its hearings and were able, by reason of more accurate information than they had in the early fall, to submit revised estimates, the committee was better prepared to pass upon those estimates than the Department was prepared to the early fall, when the first estimates were prepared. Consequently the apparent great reduction by the terms of the committee from the original estimates are explained in large measure by the changed conditions which came before the committee when the committee's bill was under preparation. For example, in the Second Assistant Postmaster-General's bureau the revised estimate for railway mail transportation pay was \$3,900,000 less than the first estimate. This grew out of the fact that the operation of the law passed at the last session of Congress and a new ruling of the bureau, known as "Order 412," concerning the method of computing transportation pay, had not gone into effect at the date of the first estimate, but the revised estimate was made at a time when all of those provisions had gone into effect, and therefore the change in the estimate resulted in a saving from the first estimate of \$3,900,000. In the First Assistant's bureau the estimates of that officer were based in the early fall upon recommendations of that bureau for certain changes of legislation, and in the event Congress approved of those changes and new laws were passed then additional appropriation would be made, but, basing the estimates of the First Assistant's bureau upon existing law, without taking into account an assumption that new law will be made requiring a revision of the estimates in that bureau, it amounted in the aggregate to approximately \$4,000,000. Consequently the heavy estimate of the Department first submitted to Congress in the usual way by preparation in the early fall was necessarily considerably reduced by the committee because of the facts that I have named. Among the recommendations from the Department that were not approved by the committee because they would

require changes of legislation—and, in the first place, would have been subject to points of order when the measure was brought before the House, for a variety of reasons—were, briefly, the recommendation of the First Assistant to enlarge the field of free-delivery offices so as to permit them in communities where the gross receipts of the office were \$5,000 a year and upward. The second was the recommendation of the extension of the classified act to the grades of employment above the grade of clerk in offices of the first and second classes, a recommendation for an increased vacation period, and a recommendation for an increase of 60 per cent in carriers of the \$1,100 grade and of 50 per cent in clerks of the \$1,100 grade, a recommendation to repeal the existing law relative to the method of appropriating for clerical services in offices of the third class, and appropriating a lump sum of \$2,000,000. There may be some others, but the main reduction from the estimate of the First Assistant's office by the committee was due to the fact that his estimates were based originally upon the assumption of certain changes of law, and the committee believe the appropriation should be made upon existing law. We believe we have in each of the various branches of the service made a sufficient appropriation to maintain at the high standard of efficiency the service as it is now controlled by law.

I wish just in a brief way, but in what I think will give the committee full information, to take up in their order the five divisions of the postal service and note the general character of the changes in the appropriations. Under the Postmaster-General directly the committee recommends a reduction of the force of post-office inspectors, believing, as the committee does, that the large increase in that inspection service by merging with it the so-called rural agents and the rapid decrease of the work of the rural installation department will not require as large a number of post-office inspectors as in recent years. The committee therefore recommends that this force be reduced by twenty-two. In October last there were twenty-seven vacancies in the post-office inspection service, and I think at the time of the hearings there were twenty-one vacancies, something about that number, so that in the reduction recommended it will not necessarily mean the displacement of some employee, but failure to fill some vacancies which have not been filled because of the lack of necessity from the service itself. We recommend two small items of appropriation under the Postmaster-General which are new law, but the reasons are as follows: First, an item of \$10,000 to cover the cost of purchase and installation of conveyors and other mechanical devices in the Washington city post-office. These mechanical appliances are for the improvement of the service in this city, and that office, it is found, can be greatly benefited in this service by this small item of expenditure. The second item of \$10,000 is an appropriation authorized under the Postmaster-General for the investigation and testing of mechanical and labor-saving devices in the service. Under the general policy of Congress, wisely providing, as I believe, for a very general segregation of items of appropriation, it makes it exceedingly difficult at times for the service to receive in some particular cases appropriation for the investigation of new appliances and devices which an investigation might prove to be of great advantage, and the limited sum of \$10,000 does not perhaps seem large, but there are a great many instances where they need no sum at all.

They have, for example, the question of the tying device for the ease and convenience of the post-office clerks and railway mail clerks for tying up bundles of letters that go to one common destination. There is a device of the mail catcher, which the Government has been struggling with for many years to ascertain a cheaper and lighter appliance. There is no fund now from which either one of these devices might be defrayed. The same is true about the stamp-vending machine. The committee hesitated about making a larger appropriation for such purposes in the absence of fuller and more complete knowledge. Under the First Assistant Postmaster-General's bureau, a bureau which carries almost half of the entire amount of the appropriation for the service, we have established in the preparation of the bill a policy governing us with reference to increase of salaries. That policy was that we would not make any provision for the increase of salaries of the employees now in the service. Of course I do not mean that we do not make provision, and adequate provision, to carry out existing law under the automatic scale of the classification act whereby clerks and carriers after a year's service in one grade are promoted automatically to the next grade upon proper efficiency record up to the \$1,200 grade. Of course provision is made to carry that method of promotion, but there is no provision made for the increase of salaries other than that provided in the classification act passed last winter. There is one exception, and that is the grade of clerks of the \$1,100 grade. Provision

is made for the advancement of 15 per cent of the clerks of that class to the next class at \$1,200. The reason for that is, briefly, that the appointment of station superintendents when necessary by reason of the establishment of new stations, occasioned either by the growth of the business or discontinuance of smaller post-offices adjacent to larger offices and creating instead of an office a substation, requires designation, as a rule, from the clerks of the \$1,100 class, and in order to provide for the very strong probability a limited provision of increase to the extent of 15 per cent has been provided. It is true that the classification act passed last year creates a grade of \$1,200 for carrier service, and there has been some demand for a provision for the increase of the \$1,100 grade of carriers to the \$1,200 grade of the law. The committee has not felt it proper to make that provision. The reason is that just one session ago we were very liberal in the appropriation for the increase pay of the employees, carriers among others, and under that provision approximately \$12,000,000 were distributed for increases of salaries alone. We are making only a 15 per cent increase of the clerks of the \$1,100 grade for the reason just stated. We are not providing for an increase of the remaining clerks of the \$1,100 grade to the \$1,200 grade for the same reason I have suggested. Furthermore, we have suffered in the last few months from a falling off in the postal revenues of the service, a condition which the history of the country shows follows each currency disturbance. How much it will be, no man can foretell. The losses to the postal revenues are sufficient in recent months to challenge the attention to the possibility of a continued falling off in the service at least for a period of half a year yet.

In view of that, the business of the service will not increase to such an extent as to justify an increase of salary to those employees. Furthermore, industrial concerns, private corporations, are not this year increasing salaries as liberally as they did last year, and in keeping with these general conditions, with no fear of an impairment of the efficiency of the service, the committee has thought it unwise to make at this session, immediately following a session of such liberal provisions, a second provision for an increase of salaries. Under the First Assistant of the Department, however, fall the third-class post-offices, where a few years ago we sought to inaugurate a method to cover the clerical cost of the service in those offices. The administration of the third-class offices is one of the most difficult things we have to contend with. The ripening of the third-class office into the second-class office brings with it immediately an enlargement of privileges and employment and salaries, which puts the second-class office upon a far different footing from the third-class office before it so ripened. We, therefore, a few years ago made provision for a schedule of allowances providing not to exceed \$200 in offices where the salary of the postmaster was \$1,100 or \$1,200; an allowance not to exceed \$300 to offices of the third class, where the salaries were \$1,300, \$1,400, and \$1,500, and by one amendment later an allowance not to exceed \$400 in offices of \$1,600 and \$1,700, and \$500 in offices of \$1,800 and \$1,900 a year. It has been found, however, that the amount appropriated under this class has not been adequate to the conditions existing in a large per cent of these offices.

The appropriation for the current year for the clerical allowances at third-class offices is \$800,000. The committee has recommended \$1,125,000, an increase of \$325,000 in that method of appropriation. But we have made a change in the schedule so as to provide the distribution of \$500,000 of that total to the third-class offices where the salaries are below \$1,600 a year, and \$625,000 to be distributed to offices where the salaries are above \$1,500 a year. It is believed, under a fair computation after inquiry, that that provision of appropriation will enable a very material increase of allowance for clerical cost in the third-class offices. The \$625,000 will, under these estimates, provide for the payment of the maximum allowances in 92½ per cent of the third-class offices where the salaries are above \$1,500 and allow the maximum allowance in the offices below

\$1,600 in 58.80 per cent of the cases. So liberal an allowance, therefore, will undoubtedly result in a better and a more sensible distribution of the fund for the benefit of those smaller offices.

In the item carrying the appropriation for rent, light, and fuel at first, second, and third class offices we recommend an increase in the maximum amount for rent which may be allowed from \$480 to \$500 a year and a maximum allowance for fuel and light, an increase from \$80 to \$100 a year, and have made provision by the aggregate amount of that item of appropriation sufficient to meet the differences by the increased cost of fuel and light and rental purposes in all the grades of offices of the first, second, and third class.

In the appropriation for the letter-carrier service of free-delivery offices, aside from our not making appropriation sufficient to permit the increase of salaries of carriers in the \$1,100 grade, ample provision has been made to carry out the provisions of the classification act under the automatic scale of promotion and to provide what is found to be a sufficient number of new carriers to meet whatever reasonable demand that may be occasioned by the increase of volume of the general service. The same is true with reference to the additional clerks in offices of the first and second class.

Under the Second Assistant Postmaster-General's items the chief point of interest has always been the railway-mail and post-office car appropriation. We make a very decided reduction in the amount carried by this bill from that which has been carried in former bills, occasioned by the legislation of the last Congress.

There have been four different things or transactions which have occurred in connection with the railway mail transportation pay and railway post-office car pay which have resulted in a decided reduction in the annual charge of expense. Last year Members will recall that we reduced the rate of pay for railway post-office cars; that we provided for a reduction in the rate of the railway mail pay on routes carrying in excess of 5,000 pounds of mail a day. We also provided two years ago, I think it is, for the gradual withdrawing from the mail, preceding immediately the weighing period in the four great territorial sections of the country, of the equipment, of supplies, furniture, and the mail bags not needed for immediate use and their carriage thereafter by freight. The purpose of this latter provision was to enable the Government to ship its equipment and supplies generally by freight at a lower charge than would follow when they are weighed as a part of the mails at the weighing periods in the four different sections. Since Congress adjourned, by order No. 412, of the Postmaster General, a different method in the computation of the weights was authorized, known as the "change of divisors." While the change of divisors, or order 412, has not yet gone into effect in all of the divisions, because under the rule of the Department it is made applicable only as new divisions of weight occur, still making the estimate based upon existing knowledge of the weights and the estimate for the divisions not weighed, the effect of the new divisor transportation in the annual charge upon the Government is a reduction of \$4,619,285.85, or 9.65 per cent. The effect of the law of the last Congress relative to the change of rate in the transportation where the weight exceeds 5,000 pounds daily is a saving annually of \$1,740,494.63, or a saving of 3.63 per cent.

The effect of the law of last Congress changing the rate of pay of railway post-office cars results in a saving of \$935,974.09, or 16.36 per cent. And the effect on the annual charge by reason of the withdrawal of equipment under the same method of computation results in an annual saving of \$805,679.13, or 1.77 per cent.

I will print in the RECORD at this point the table which I have read from, showing the effect in the different weighing divisions of the country and the items which make up the saving which I have just announced.

The table is as follows:

Contract section.	Effect of new divisor, transportation.	Estimated rate of per cent except in third division.	Effect of law of 1907, transportation.	Rate of per cent.	Effect of law of 1907, R. P. O. pay.	Rate of per cent.	Effect on withdrawal of equipment.	Estimated rate of per cent.
First.....	\$990,945.45	9.65	\$547,909.01	5.33	\$239,670.49	17.59	\$181,758.90	1.77
Second.....	446,600.78	9.65	70,192.45	1.52	85,196.83	15.73	81,878.69	1.77
Third.....	1,787,378.10	9.65	759,145.88	4.10	442,755.76	16.70	283,251.50	1.77
Fourth.....	1,894,561.52	9.65	363,247.29	2.51	168,350.98	14.42	255,790.04	1.77
Total.....	4,619,285.85	9.65	1,740,494.63	3.63	935,974.09	16.36	805,679.13	1.77

We have, however, made provision, adequate, as we believe, with the appropriation of an amount quite sufficient to take care of this service, both transportation and post-office car pay, for the next fiscal year without detriment to the service.

In the item referring to the charge on freight and expressage on equipments, I say that that is a matter of guesswork almost entirely as to how much money will be required for freight charges when the equipment has once been withdrawn from the division, because there are no data upon which a safe estimate can be made in advance of the withdrawal to determine accurately just what that might be. I am inclined to think if the committee has erred at all in the item for express of freight and equipment, it has made a larger appropriation than might possibly be necessary; but with a view of making proper provision, we have been rather more liberal than not quite liberal enough. In the railway mail pay, or in the appropriation intended for the pay of the salaries of the railway mail service—clerks, chief clerks, assistant superintendents—we accepted the revised estimate of the Second Assistant's office, which resulted in a slight reduction. It is believed that after the Department had made very careful estimates, as the Department did, and its estimates have been scrutinized and analyzed by the committee, no better provision could be recommended than that which the superintendent of the railway mail service and Second Assistant Postmaster-General have recommended.

In the item for electric and cable car appropriation pay we make a new recommendation, to cover what seems to be a limited number of emergency cases. We provide that of the total appropriation made, not exceeding \$30,000 may be used without regard to the present existing law governing the rate of pay for a cable-car or an electric-car service where it does not exceed the cost of the service under present conditions, and is, in the judgment of the Department, of advantage to the service. By that means we cover an incident which was called to the attention of the committee where because of the proximity of two communities a very frequent and efficient cable-car service was in progress, that would not accept the rate of pay which the law grants under the schedule of pay for the electric and cable car service, and the Government was compelled to resort to star service. The cost of the service by star service is greater than usual to the electric and cable car service, and the Department wanted to give it to the electric cable car company. Although it is larger than the schedule which the law provides for cable and electric car service, it will undoubtedly be of benefit to the service, and it will be cheaper service, more expeditious for the community, but it will be an increase over the existing rate.

Mr. MANN. Will the gentleman yield for a question?

Mr. OVERSTREET. I will.

Mr. MANN. We require the steam railroads to carry the mails, as I understand, by law. Have we no such authority over the electric roads?

Mr. OVERSTREET. I am inclined to think we have; but a further illustration of the explanation that I was giving would indicate that where there is but one coach carried, as in this instance, and the accommodations for the mail are exceedingly limited, not nearly the accommodations found upon steam railroads, and as in nearly every case a steam road parallels the line and does carry the mail, the Government would be slow, I should say, in compelling that road to carry the mail at a rate fixed by the regulations in the transportation law.

Mr. MANN. That is the reason for the change that the gentleman's bill proposes, and is not that no authority exists? The committee thinks that the present rate of pay is not sufficient in this case.

Mr. OVERSTREET. That is my view of it, although I may say that there has never been any test of the law as to whether Congress had control over electric roads. I am inclined to think it has.

Mr. STAFFORD. If the gentleman will allow me; I hardly think he intends to convey the impression that we have the right or that there is any authority now vested in Congress by any law to compel the railroads to carry the mail.

Mr. OVERSTREET. The exercise of the power of the Government over post-roads has been construed to mean at least what is equivalent to a compulsory law for the carriage of mails. It has never been put to a test, and I can not say whether or not there is any authority; but I think it would be that the Government would probably have the authority to compel the roads to carry the mail.

Mr. STAFFORD. There is no question of the authority of Congress to designate certain roads as post-roads, and in a sense the railroads are post-roads, over which Congress has

exclusive control, so far as postal transportation is concerned, if it wishes to exercise it; but there is no law, and I wish to direct the attention of the chairman to that fact, and I did not understand him to make such a broad statement, that gives Congress the authority to compel a railroad to carry the mails to the different points on its line; nor can Congress compel an electric car line without its consent to do a similar service.

Mr. MANN. The question which I addressed to the chairman went to our authority to declare these roads post-roads, and thus be authorized to compel them to carry the mails.

Mr. OVERSTREET. That was my understanding, and my answer was with that understanding.

Mr. NORRIS. Will the gentleman permit another question right on this point?

Mr. OVERSTREET. Yes.

Mr. NORRIS. Does the gentleman desire to convey the impression that an ordinary electric road, chartered under some State law and entirely within a State, would be compelled, if Congress passed a law that said it should be a post-road, to carry the mail without its consent? Does the gentleman mean to say that we could do that?

Mr. OVERSTREET. I stated in answer to the gentleman from Illinois [Mr. MANN] that I was not prepared to say that we had complete authority, but that we never had tested it fully in relation to the electric roads. I am not sufficiently familiar with the precedents in the cases that have been tested to warrant an opinion as to just how far the authority of the Government in compelling all kinds of roads to carry the mail might go. I know that it was held in the early cases that the authority of the Government to determine what shall be post-roads was pretty broad, but I do not know of a single instance where that determination was sought to be exercised on a road lying entirely within the limits of a State. My recollection is that in one of the earliest cases, brought in the Pennsylvania courts, there was a strong leaning toward an affirmative answer to the gentleman's question; and I am inclined to believe—although I say it with a good deal of qualification and without thorough inquiry—that the power of the Government in a proper way to determine what may and shall be post-roads is pretty broad under the Constitution, and that when that power has been exercised and a given road has been declared and determined by the Government to be a post-road I think the Government would have the right to compel the carriage of the mail over it.

Mr. MANN. If the gentleman will pardon me, the power to declare post-roads has nothing to do with the question of interstate commerce, and has no relation to the question whether a road is wholly within a State or whether it crosses State lines. The power to regulate commerce may depend upon interstate commerce, but the power to declare post-roads depends upon that paragraph of the Constitution which gives Congress authority to establish post-offices and post-roads.

Mr. OVERSTREET. Mr. Chairman, in the Third Assistant Postmaster-General's items of appropriation there are a very limited number of changes made, and those only because of the belief that the increased appropriations may probably be needed on account of the public demand. There is, however, one change which the committee has made, to which I wish to call your attention. That is with reference to the indemnity upon registered mail.

We have transferred from the department of the Second Assistant to the department of the Third Assistant the regulation of the disbursement of the indemnity for registered foreign or international mail. This was done both upon the recommendation of the Postmaster-General and of the Second and Third Assistants. We have increased the appropriation to \$10,000, the amount recommended by the Department. We have increased considerably the appropriation for the indemnity of registered domestic mail of the first class. The last appropriation was for \$5,000. We recommend \$25,000. That recommendation is made in order to enable the Department to dispose of a very large number of cases now pending.

The evidence before the committee informed us that there are approximately 9,000 cases of loss of registered domestic first-class mail, the demands aggregating on their face approximately \$25,000. Because of the limited amount of the appropriation it has been necessary to postpone the consideration of the cases from year to year, for the reason that if the cases were all determined there was not a sufficient amount appropriated to meet the charge. The rule and practice of the Department, followed universally wherever a loss of registered domestic first-class mail is reported, is at once to set in motion an inquiry to try and locate the trouble, and if found, either to return the article to its owner or to collect from the person who is chargeable with it the amount of the loss. This neces-

sitates holding up all the claims until that entire proceeding has been gone through with. There is no disposition to change that practice or policy. The committee, however, have come to the conclusion that a larger appropriation for this fund will permit a wiser and more equitable administration of it than in the past. In connection with that the committee recommend the creation of an indemnity fund for the loss of registered first-class domestic mail.

That is to say, that hereafter whenever a fund has been collected by reason of registered matter, the owner can not be found, or something comes up which prevents the payment of it, instead of that being covered into the Treasury, as has occurred under recent appropriations, it goes into this fund and forms a segregated fund to be used in the payment of other indemnity, and if that fund should be sufficient from time to time by reason of the payments and application to the fund, it would become administered uniformly under the practice and care and attention and appropriate disbursement when collected.

Mr. MANN. Will the gentleman yield?

Mr. OVERSTREET. Certainly.

Mr. MANN. Under what authority of law do people hold out money from control and deposit from the Treasury and deposit in a separate fund?

Mr. OVERSTREET. Heretofore the item of appropriation for indemnity for the loss of registered articles is an annual item of appropriation, and under the law an unexpended balance at the end of the fiscal year is returned to the Treasury; so it would not be segregated any longer than the limit of the fiscal year.

Mr. MANN. Is the gentleman speaking of a new proposition?

Mr. OVERSTREET. The new proposition will be entirely new. If the House should ratify the recommendation of the committee and create a limited indemnity registry fund, then the amount which might be left or paid in by reason of the collection would remain intact and would not go into the Treasury.

Mr. MANN. Does the gentleman think it desirable to create a fund about which Congress knows nothing, and concerning which the public knows nothing, so that nobody is informed as to the amount of the loss which may come from registered mail, and leave it there wholly in the control of officials, practically in a private way?

Mr. OVERSTREET. It comes under the general method of reports of that Department, and undoubtedly there would be an annual report of it. There must be.

Mr. MANN. The Constitution requires annual reports of officers, and yet I dare say the gentleman has never seen one; I never have. Does this bill carry any appropriation for this item?

Mr. OVERSTREET. Twenty-five thousand dollars.

Mr. MANN. A permanent fund?

Mr. OVERSTREET. Oh, no.

Mr. MANN. I ask the gentleman because this very morning the chairman of the Committee on Appropriations called my attention to a communication he had received from the Comptroller relative to special deposits of funds which seemed to be entirely outside of the rule and the law regulating the appropriation of money out of the Treasury. I am afraid that is where this would go.

Mr. OVERSTREET. I think the gentleman from Illinois perhaps failed to catch the provision which must be carried every year in this item and which necessarily will keep it related to Congress annually, so that it will have a proper report. The appropriation must be made or else there will be no payment of losses from that fund if that fund is exhausted. Therefore, annually, the committee preparing the appropriation bill for postal service must necessarily have information about this particular item, and know whether any additional fund will be necessary for the ensuing fiscal year.

For example, the appropriation this year is \$25,000 for paying the indemnity of loss by registered mail of the first class. There is a statute fixing the charge upon the Government for such a loss, and the statute would be wholly inoperative unless there was an appropriation made of the item. We carry annually some appropriation to conform with that statute. The only change recommended in this bill is that hereafter when there is any fund collected upon the loss of registered matter where the party to whom it belongs can not be found, or whereby he has not the settlement of it, and later the collection of it, which had not been made in the first instance, that money would go into a fund, to be supplemented each year with whatever appropriation would be required to meet the requirements of the statute which governs that matter.

Mr. MANN. What is the objection to covering the money

into the Treasury like all other money and then appropriating a sufficient amount to meet the demands which may be made upon it by reason of the statute?

Mr. OVERSTREET. Well, the attitude of the gentleman from Illinois, under the exercise of his privilege of making a point of order, indicates that that probably will have to be done. I believe it is a wise provision and I am undertaking to call attention of the House to what the committee thought would be a more effective and uniform administration of that particular law. It is utterly impossible to tell how many losses may occur in a year on account of the registered matter.

The law fixes the amount of indemnity, and we appropriate to meet that situation and to make it easier for the Department to continue to consider these cases which are always before them. The docket is never clear. There is never a time when there is not a case before the Department. We thought it wise to provide a continuing fund, so that they would be able to meet these cases in less time than it now takes, and in order that those who have suffered by the loss with which the Government is charged might be repaid within a reasonable period.

Mr. MANN. I do not wish to take the gentleman's time nor to impose upon it, but the gentleman has not at all to my satisfaction shown any reason why creating this fund in this way would enable claimants to get their money any quicker.

Mr. OVERSTREET. Because it enlarges the fund as rapidly as there is an increment of increase there occasioned by failure to find a person who owns it, and by reason of the collection of the claim after the claim has been paid.

Mr. MANN. But the gentleman's committee every year expects to bring in an appropriation item, and hence must take into consideration the probability as to the amount of the claims, and if the committee is mistaken, then the claimants will have to wait anyhow.

Mr. OVERSTREET. Yes.

Mr. MANN. No one pretends there is any large amount of this money.

Mr. OVERSTREET. I just stated there are 9,000 claims pending now.

Mr. MANN. I mean of the money to be paid into this special deposit.

Mr. OVERSTREET. Not a great amount of it.

Mr. MANN. Not enough except to give an excuse at all times that here is a fund that they can be paid out of, and no one knows how much it is.

Mr. HARDY. I would like to know if it ever has occurred that the amount of the collections from this registration fund, of sums not claimed, has exceeded the amount of expense for loss incurred.

Mr. OVERSTREET. Oh, no; it could not.

Mr. HARDY. In other words, is not there always a deficiency necessary to be made up by appropriation?

Mr. OVERSTREET. Oh, always; because all of the lost registered articles are not found and all of the persons responsible are not detected.

Mr. HARDY. I understand the gentleman's purpose to be by this method simply to make the account continuing, it is to keep it in one successive order.

Mr. OVERSTREET. That was the purpose of it.

Mr. HARDY. And there is no surplus left anyhow.

Mr. OVERSTREET. No surplus left anyhow.

Mr. Chairman, in just a few moments I think I will be able to conclude my statement. In the Fourth Assistant Postmaster-General's office, covering rural delivery and supply department, the committee has endeavored to appropriate, as in the other instances, an amount sufficient to meet the real demands of that department. Unfortunately, the estimates from the Fourth Assistant's office, so far as they related to supplies, were not sufficiently full and accurate to enable the committee to accept them. There has been much complaint in past years of the lack of supplies for post-offices of all classes, and in too many cases I think criticism has been made against Congress when Congress does not deserve the criticism. There was some excuse for the delay in the shipment of supplies last summer and early fall on account of the transfer of the supply depot. It was scattered in various places in this city, and under a provision of law authorized at the last session one supply station or house or home for supplies was provided and the transfer to that agency necessitated some delay. I am happy to say that the information from the Department now is that these supplies are not being delayed, but the demands are being met with unusual accuracy and sufficiency, and the items appropriated by the committee to meet the manufacture and shipment of supplies for the next fiscal year the committee believes are ample. The same is true of the rural delivery service.

There has been some controversy between the committee and the Fourth Assistant's bureau in the appropriations for the rural delivery service in the past. The committee does not appropriate this year the full amount estimated, and I wish to draw attention to that here in order to emphasize the fact that that reduction is not because the committee purposes any less attention to the rural delivery service. We believe we have appropriated amply to cover all the needs of that service for the next fiscal year, although we have reduced the amount from that carried in the estimate. In the fiscal year ending June 30, 1906, there was approximately \$1,000,000 unexpended balance in the item for the rural delivery service under the Fourth Assistant. At the end of the fiscal year 1907, June 30, there was an unexpended balance of \$1,596,498. The condition of this fund at the time of the hearings before the committee convinced the committee that there will be a very handsome unexpended balance at the end of the present fiscal year; and so far as your committee is concerned, hoping that it may impress the House with the care it takes in preparing a great bill carrying the number of items of detail that this carries, we are led to believe that it is foolhardy upon our part or upon the part of the bureau officer to recommend a heavy appropriation when it is clearly shown that it will not need all of it, and we have reduced that estimate.

But in that reduction I make the prediction now that there will be an unexpended balance in that item at the end of the fiscal year 1909, and I am satisfied that my associates upon the committee believe equally with me that that will occur. So that no one need fear that there is any change of policy with respect to proper administration and appropriation for the rural delivery service. There is one new item carried in the bill, under the Fourth Assistant Postmaster-General, where it is intended as new legislation, which does not apply to the Fourth Assistant's office, to which I wish to call attention in conclusion. Under existing practices when any of our war vessels are away from port there is no provision at all for the sailors, soldiers, and officers to receive their mail in any other way than the common practice of having it addressed to a specific vessel and carried to some certain port. The constant change of location of our war vessels and the large number of men carried upon them has resulted in great inconvenience to the men upon those vessels in the receipt and dispatch of their personal and registered mail. Our committee, therefore, following the recommendation of the Secretary of the Treasury and the Postmaster-General, through whom the recommendation comes to our committee, makes provision of law authorizing the designation by the proper officer of the Navy of mail clerks, who will be under bond and under the regulations of the Post-Office Department and in all respects as in the others, with powers to take the mail addressed to the various men and officers upon these vessels, see to its proper distribution and delivery, and in turn take from them the mail for dispatch and see that it is properly dispatched from the nearest port. This also will safeguard the registered mail which very frequently is addressed to men upon these vessels. It carries no appropriation whatever, and merely grants authority with proper safeguards and limitations and provision for a bonding of these clerks the same as clerks for post-offices, leaving entirely to the Navy Department, if it shall see fit to exercise the authority, to make provision for any compensation which may be proper. With that statement, Mr. Chairman, I think I can add nothing further. I can only say what I said in the outset, that great care has been exercised in the preparation of this bill in all of its variety of service, and we believe in it ample provision has been made to keep the standard of efficiency in full measure up to what it now enjoys in the collection, dispatch, and delivery of mail.

Mr. BARTHOLDT. Mr. Chairman, I would like to ask the gentleman from Indiana a question or two. Is there anything in this bill changing the present law with respect to second-class mail matter?

Mr. OVERSTREET. The rate; nothing at all.

Mr. BARTHOLDT. My next question is, Have you provided for an increase in the pay of letter carriers in accordance with the reclassification law passed by the last Congress?

Mr. OVERSTREET. I explained that fully at an early hour this afternoon. The gentleman perhaps was not present. We have made ample provision under the law known as the "classification act." We have not made provision for increasing the salaries of the \$1,100 clerks and carriers.

Mr. BARTHOLDT. That was provided for in the classification act—an increase from \$1,100 to \$1,200?

Mr. OVERSTREET. No, sir; there is a \$1,200 grade of clerks and has been, and we appropriate to carry all these clerks who are in the service and 15 per cent additional for rea-

sons which I stated at the time. There is a grade of \$1,200 in the carriers under the classification act; but we have not made an appropriation to promote them, because, I stated, the handsome appropriation for increased salaries made last year we thought ought not to be followed under the present conditions the first session following that enactment by a further increase, and for the further reason we were not making increases of salaries of any employees in the service other than provided for by that law.

Mr. BARTHOLDT. Now, one more question, Mr. Chairman. Have you made any provision to extend the annual leaves of post-office employees to the same extent that employees in other Departments enjoy, namely, from fifteen days to one month?

Mr. OVERSTREET. We have not; and I regret the gentleman from Missouri was not present when I explained that, and I went into that, I think, in much detail. We have made no provision for any increase of the vacation privilege.

Mr. BARTHOLDT. Did the gentleman explain the reasons which actuated the committee in reaching that conclusion?

Mr. OVERSTREET. I did.

Mr. THOMAS of North Carolina. Mr. Chairman, under the former bill there was a graduated system of promotions provided for clerks in the first-class post-offices. Now, I am informed that, while that provision was made, there is no appropriation to carry such provision, and I want to ask the gentleman from Indiana if any provision has been made in this bill to cover the compensation of clerks who should be promoted under that former law?

Mr. OVERSTREET. I could answer that question with the simple word "no," but that, I am satisfied, would not carry the information which the gentleman wants. The point is that the gentleman evidently is referring to what is known as the "classification act," providing for the automatic promotion of clerks and carriers.

Mr. THOMAS of North Carolina. Yes, sir.

Mr. OVERSTREET. That I explained at the same time, as I stated to my friend from Missouri [Mr. BARTHOLDT] earlier in the afternoon, and if the gentleman had been present he would understand I was not seeking to overlook it.

Mr. THOMAS of North Carolina. I did not hear the gentleman's statement. I have a letter from these clerks.

Mr. OVERSTREET. This bill carries enough appropriation to provide for the classification act in the matter of the promotion covered by that law. Now, that law is this: That clerks and carriers in offices of the first and second class shall be appointed in the first instance at the \$600 grade. There are six grades, namely, \$600, \$800, \$900, \$1,000, \$1,100, and \$1,200. One thousand dollars is the last grade in offices of the second class, and \$1,200 is the limit or last grade in the offices of the first class. Under that bill, when a clerk or carrier has been appointed at the lowest, or \$600, grade, thereafter he shall be promoted automatically to the next higher grade after he has served at least one year in the lower grade and has enjoyed an efficiency record which justifies a promotion. The automatic operation of that law stops arbitrarily at the \$1,100 grade. There is no law that provides for the arbitrary promotion of either clerk or carrier to the \$1,200 grade.

Mr. THOMAS of North Carolina. That is very clear, but I am informed that there are some clerks under that automatic system of classification who are entitled to promotion, but there is not an adequate appropriation to pay them.

Mr. OVERSTREET. That can not be true, I am satisfied.

Mr. THOMAS of North Carolina. Then I was misinformed.

Mr. OVERSTREET. Of course there might have been a mistake in the amount carried.

Mr. MANN. The gentleman rectified that in the urgent deficiency bill.

Mr. OVERSTREET. Of course we have to make these estimates, and wherever there is a deficiency under the law it is provided for. Under the existing law the Department found that by reason of the increased number of clerks they would not have enough money to provide for the automatic promotion of the clerks, and at this session of Congress, in the urgent deficiency appropriation bill, under the guidance of the Appropriation Committee, \$750,000 was carried for that item.

Mr. THOMAS of North Carolina. Probably that will carry it.

Mr. OVERSTREET. That may be. Now, so far as this bill is concerned, of course we may make a wrong estimate on it, but on the best estimate that can be made we have counted for the clerks and carriers in all of those grades from \$600 to \$1,000 to be promoted within the year, provided they have served at least a year in the next lower grade and have an efficiency record up to the standard. Now, it is not always the case that all of the clerks either have a full year's service in the next lower grade or have an efficiency record, but we appropriate

in this bill for what is believed to be absolutely enough to cover that. But we make no provision for the increase of the carriers of the \$1,100 grade, notwithstanding there is a grade of carriers at \$1,200. There is no law that requires it. It depends entirely upon the item of appropriation. The reason, as I stated, and which I would just as soon repeat for the benefit of the committee, is that, in the first place, we made an appropriation last year for increases of salary for all the postal employees, city and country carriers, post-office clerks and railway mail clerks, that aggregated approximately \$12,000,000. Let me say in passing that if that provision for appropriation for increases of salary had not been made there would not have been a deficit at the end of the present fiscal year. In other words, the administration of the service and the method of appropriation for it has been such that if we had withheld the liberal appropriation for the increased salaries of employees last winter we would have had a surplus in the postal receipts over expenditures at the end of the present year, in my judgment. That was a wise provision. But we made no provision, because we did make a very liberal provision last session, and we doubt the propriety of making a provision of appropriation for increases of salaries alone at the next succeeding session. If we had made it for the carrier, then also for the clerk. If we had made it for the clerk, then also for the railway mail clerk and rural letter carrier. But under the condition of a handsome appropriation last winter, the strong probability of a falling off in postal receipts during the next several months as they have in the past few months, the fact that no industrial business concern is increasing salaries of employees this winter as they did last, the committee felt justified in withholding it.

Mr. THOMAS of North Carolina. The statement of the gentleman has been very complete. The case that I have in mind is the case of a clerk who is entitled to a promotion. I have received a letter from the Department in which the Department says that, although entitled to the promotion, there is no appropriation adequate to pay it.

Mr. OVERSTREET. When did the gentleman receive that letter?

Mr. THOMAS of North Carolina. In the last month, I think.

Mr. OVERSTREET. I do not know who your informant is, but I venture the assertion that I could convince him in five minutes he is mistaken, provided that the clerk has served a year and has an efficiency record.

Mr. THOMAS of North Carolina. If that be true, he is entitled to the increase.

Mr. OVERSTREET. He is entitled under the law. We have added to the appropriation for clerks of the first and second class post-offices \$750,000 for this year, which we think will be ample. Maybe your letter antedates the signing of the urgent deficiency bill.

Mr. THOMAS of North Carolina. One other question. There are some third-class post-offices which in postal receipts and volume of business almost equal second-class offices, and yet under the maximum allowance for assistants and separation of the mail the amount given these third-class offices is very inadequate. Has that been corrected in this bill?

Mr. OVERSTREET. In the interest of time, I must ask the gentleman to refer to my remarks. I went over it and explained it fully.

Mr. SCOTT. Mr. Chairman, I have listened attentively to the gentleman's statement, and I do not remember that he made any reference to the compensation of the postmasters of fourth-class post-offices.

Mr. OVERSTREET. There is no change at all.

Mr. SCOTT. Does not the chairman think that the fourth-class postmasters, as a rule, are paid smaller compensation than any other postal employees?

Mr. OVERSTREET. Well, I am not prepared to say that; but even giving them the benefit of the doubt, I do not think this is an opportune session to recommend increases of salaries of postal employees and postmasters in view of the action of the last session of Congress. It is true the fourth-class postmasters were not in the category of increases. There was a recommendation from the Department for a change of the basis of the pay of postmasters which would have benefited the fourth-class postmasters. The committee, under the policy that I have announced, decided to make no further increases, and therefore did not recommend it.

Mr. SCOTT. I appreciate the wisdom of the policy, but I know one post-office where the compensation of the postmaster, who gives his entire time to the work, is only \$35 a month; and I think probably that this is a matter which could well have the attention of the committee in the future.

Mr. HOLLIDAY. I would like to ask the gentleman a question, if he will yield.

Mr. OVERSTREET. Certainly.

Mr. HOLLIDAY. I wanted to know what has been the estimated deficiency. Has the committee made an estimate as to whether it will be greater or less than that of this fiscal year?

Mr. OVERSTREET. That is very difficult to answer, for this reason: The Department in its estimate estimated that the expenditures would be \$230,441,016, and, of course, recommends an appropriation covering that amount.

But by reason of revised estimates, and the fact that the committee did not follow the recommendations for changes of law which would have required additional appropriation, instead of appropriating \$230,441,016, appropriated in this bill \$221,766,192. Assuming that the estimates of the Department for the expenditures had been \$230,000,000, that would assume the deficit which they estimate. They estimate \$10,318,004.70. But my judgment is, notwithstanding we have not carried in the bill the full amount of appropriations originally estimated by the Department, that by reason of the falling off of the receipts which we fear will occur on account of the currency disturbances and industrial conditions, I am very much afraid that the deficiency will be very close to \$10,000,000.

Mr. BENNET of New York. Will the gentleman allow me to ask him about three questions?

Mr. OVERSTREET. Certainly.

Mr. BENNET of New York. First, did the committee in determining not to increase the appropriation for the \$1,200 carrier grade take into consideration the fact that \$800 carriers that would have now been receiving \$1,000 are now only getting \$900, and therefore the country was saving the amount of salary?

Mr. OVERSTREET. We took into account that fact, and in detail the whole scope of the classification law, and thought it unwise to make a provision to increase the salary of any of the employees that would undoubtedly have resulted in an increase of the \$1,100 grade. Now, then, your carrier receiving \$1,000 goes to \$1,100; therefore I do not think that question would make much difference if he would make it apply to the \$1,200.

Mr. BENNET of New York. Of course the \$1,100 is the grade to which the \$1,000 man must go.

Mr. OVERSTREET. Therefore the \$800 clerk has not been interfered with.

Mr. BENNET of New York. The person is interfered with.

Mr. OVERSTREET. So that, without the suggestion which I have made, I am inclined to the belief that the Record, if left at the point where the gentleman left it, would create the impression that his \$800 friend had not been cared for.

Mr. BENNET of New York. Oh, yes; he has.

Mr. OVERSTREET. Certainly, he has.

Mr. BENNET of New York. Certain, he has. I had no intention of leaving that impression.

In the second place—and in this I may not have heard the gentleman; I was occupied part of the time, although here—did the committee consider and lay aside for any particular reason the recommendation of the Department relative to the classification of the clerical force in first-class offices above \$1,200?

Mr. OVERSTREET. I did refer to that, but the committee did not think it advisable to enlarge the classification, because it would result in increases; and we established the policy in the committee that we would not make any provision either by change of law or by appropriation which would increase the salaries of employees.

Mr. BENNET of New York. And similarly, has the committee considered the question of a classification of clerks in charge of contract stations?

Mr. OVERSTREET. It has not considered it.

Mr. PARSONS. In the grade above \$1,200 no increases are allowed, as I read the bill?

Mr. OVERSTREET. No increases of salary. Increases of clerks are provided to meet the probable increase of the volume of business. There are some changes.

Mr. PARSONS. Outside of the \$1,200 grade there is no increase over the appropriation bill of last year?

Mr. OVERSTREET. That is right. There is no change above the \$1,200 grade.

Mr. STAFFORD. If my committee colleague will allow me, while there is no change, there are at present several vacancies in several of the grades, which permit of accommodating increased business throughout the country.

Mr. OVERSTREET. That is what I was going to state.

Mr. PARSONS. In New York, for instance, we have opened two new stations during the year. Now, therefore we ought to have an allotment of more superintendents.

Mr. OVERSTREET. What sort of stations are they—lettered or numbered?

Mr. PARSONS. Lettered stations. But I find here no increase that would warrant a superintendent for one of those new stations being advanced in salary or an assistant superintendent being advanced in his salary.

Mr. OVERSTREET. There is no provision for that increase of salary. There is provision, as I have suggested, for an increase of the \$1,100 to \$1,200, of 15 per cent, to take care of those substations where the salary is ordinarily \$1,200. Now, if these New York substations were more than \$1,200 there would not be any provision for any salaries higher than that, but there is some provision, where the salary would not be in excess of \$1,200, for a superintendent of such a substation.

Mr. BENNET of New York. When you say substation you mean branch office?

Mr. OVERSTREET. Yes; a lettered station is a branch office.

Mr. PARSONS. I notice in the bill a change in the form of the appropriation for labor. What is the effect of that? Does that change the salaries at all?

Mr. OVERSTREET. It does not. Under the classification act, the general law regulating clerks and carriers alone, we provided for an automatic increase by grades. The laborers, watchmen, and mechanics, and those other designated employees, were not provided for in the way of annual promotions in the classification act. Therefore we took out of the general item of appropriation just the laborers, watchmen, etc., at the salaries provided in the current law which they are now receiving, and simply put them in a separate item.

Mr. PARSONS. Then the watchmen, messengers, and laborers provided for in this bill in first and second class post-offices are to get the same salaries that they now receive?

Mr. OVERSTREET. That is right; and I will say that the \$400 grade is abolished, and those in the \$400 grade are covered into the \$500 grade.

Mr. PARSONS. I hope we have no \$500 grade in New York.

Mr. OVERSTREET. Not in New York.

Mr. MANN. Will the gentleman yield?

Mr. OVERSTREET. Yes.

Mr. MANN. In reference to the matter of contract stations. The Department calls them numbered stations; the Post-Office Department calls them substations. You have an item of \$250,000 for contract stations above \$300 salary?

Mr. OVERSTREET. That is an increase of \$10,000.

Mr. MANN. Does the Department think that is a sufficient increase?

Mr. OVERSTREET. I will say to the gentleman that that is one of the items that was so confused in the general estimates of the First Assistant that I am unable to answer his question. He wanted to cover these stations under some other head and allow a different method of appropriation. He prepared a bill which covered his various numerous recommendations and made his estimates upon the bill.

Mr. JOHNSON of South Carolina. Instead of making his estimates on the existing law, he made them on some sort of an imaginary bill?

Mr. OVERSTREET. Yes; and we had to separate it and reduce it to make appropriations according to existing law.

Mr. MANN. Now, if the gentleman from Indiana will permit me to make a statement in reference to that—I do not want to take the gentleman's time—

Mr. OVERSTREET. Very well.

Mr. MANN. The salaries of the contract stations as now regulated by the Department are fixed on a basis of the amount of money orders and registered business done at each station. They have the figures, but they have not been able to adjust those salaries according to official regulations, for the reason that we appropriate so much money for salaries less than \$300, and another amount for salaries above \$300, and there is no way of getting out of the \$300 class into the \$400 class when the business justifies it. That is the reason they made a proposition to put the two sums together.

I have a number of cases in the city of Chicago where they transact the business required by the Department under the regulation basing it on certain salaries, and are told in advance that when that business reaches that amount they will receive the salary, but they do not get it. I have had a number of resignations in my district on account of it, and in some places where it is impossible to get anyone to take the place.

Mr. OVERSTREET. Mr. Chairman, I will yield to the gentleman from Wisconsin to answer the gentleman from Illinois.

Mr. STAFFORD. In reply to the criticism of the action of the committee in not making larger appropriations for the higher class of stations, I wish to say that we follow the recommendation of the retiring First Assistant Postmaster-General, of several years ago, when he said it would be far better for

the service to create additional stations at the salary of \$300 and under than to increase those of the higher-priced stations from \$400 to \$1,000. The committee has followed that recommendation by providing adequately for a larger number of contract places of the \$300 grade and under, as it brought the conveniences of the postal service more generally to the people in the cities than if we increased the high-priced stations. The appropriations for these stations of \$300 and under have been more than adequate to meet the demands of the service.

Mr. MANN. The gentleman is mistaken about that.

Mr. STAFFORD. The gentleman is not mistaken.

Mr. MANN. Oh, you have money left in the fund, but you can not get it out.

Mr. STAFFORD. The money is there by several thousand dollars and is available at present for new stations. Of course the Department has not granted every request to establish a contract station. They follow the rule that there shall not be any new stations within a half a mile of each other. Every corner drug store wants to have a station, because it attracts trade, but the Department is following the rule, and there is ample appropriation at present for the \$300 grade.

Mr. OLCOTT. I want to say that I hold in my hand a letter which I will ask to have read, where one of these substations does a great deal of business and receives a compensation of \$4 a week.

Mr. OVERSTREET. That is not the fault of the law or the Appropriation Committee. There is money in the fund unexpended, and the gentleman should present his case to the Department.

Mr. OLCOTT. I would like to have the letter read.

Mr. STAFFORD. I would suggest that it be deferred until we reach this item under the five-minute rule.

Mr. OLCOTT. Very well.

Mr. OVERSTREET. Now, Mr. Chairman, if there is no other inquiry on any item in the bill, I will yield the floor to the gentleman from Tennessee [Mr. MOON], if he cares to occupy any of his time.

Mr. MOON of Tennessee. I yield thirty minutes to the gentleman from South Carolina [Mr. PATTERSON].

Mr. PATTERSON. Mr. Chairman, the distinguished gentlemen of this House who have indulged in speechmaking at this session of Congress have taken a very wide range and have discussed in an able, intelligent, interesting, and exhaustive manner a great variety of subjects, embracing legislative, judicial, executive, and political. It seems to be the rule in general debate upon a bill for the Member addressing the House to speak about anything and everything except the subject-matter of the pending measure, and I will not at this time make an exception to the rule, but will take advantage of the time allotted to me to address the House upon two subjects, contained in separate bills which I have introduced at this session of Congress. To my mind these are very important matters, and I trust that the Members of this House will give me their attention and these measures that due and careful consideration which they deserve.

The first of these to which I ask your attention is H. R. 16758, which provides: "That no judge of any court of the United States inferior to the Supreme Court shall issue any writ of injunction or prohibition in any case wherein the validity of a law of any State of the United States, or the act of any officer of any such State done, or required to be done, in pursuance of such law, is called in question." In view of the recent acts of Federal judges, fresh in the minds of the people, assuming powers never delegated to them, this question becomes of great interest and importance. Such an assumption of power by the judges of the United States courts can not be too severely criticised and condemned. It is calculated to bring about a clash and conflict between the State and Federal authorities, and a check should be placed upon them and they should be compelled to respect the sovereign rights of the States to enact laws and to enforce them, subject only to interference by injunction of the supreme court of the State or of the Supreme Court of the United States.

Since the expiration of the Fifty-ninth Congress the people of the United States have witnessed many things tending to demonstrate the correctness of Jefferson's solemn declaration that Federal judges are the "sappers and miners" of despotism. We have seen Federal judges attempting to nullify the laws of the States by granting injunctions forbidding and restraining the officers of the States of Virginia, North Carolina, Alabama, and Minnesota, who are charged with the execution of the laws of those States, to execute those laws, unless and until the Supreme Court of the United States has passed upon their validity, thus making State laws enforceable only upon a condition never contemplated by the

framers of the Constitution of the United States. And we have seen this new usurpation of authority followed immediately upon the suggestion of the President, who appointed the particular judges guilty of such usurpation, that the Constitution needed to be remodeled by executive, legislative, and judicial constructions, and not by amendments in the proper and authorized manner, in order to adapt it to the needs of the times. In this way, by the appointment to judgeships of men who are overzealous to please their benefactor, the President is seeking and securing what amounts to a veto upon all State legislation, absolutely destroying the sovereignty of the State by indirection.

While the States are being shorn of all initiative in the matter of legislation for the protection of their citizens against the oppressions and abuses of corporations, through the instrumentality of the former attorneys of those same corporations whom the President has transformed into judges, the initiative of the Federal Government, or, rather, of the President of the United States, has been correspondingly increased by means of commissions of all kinds, exercising legislative, executive, and judicial powers all at once. As the gentleman from Massachusetts [Mr. McCall] said in a speech at the Jamestown Exposition on Constitution day—

We are all to be regulated in our business and modes of life by gentlemen sent out from Washington, and the gentlemen sent out from Washington are to be regulated by one man in the White House. Would it be possible to conceive of a more ideal centralized paternalistic government?

The judges are not removable by the President, but these Commissioners are; so that, in effect, we have a new semi-judiciary system, by means of which the President may put in train whatever measures he may like through instruments dependent upon himself for their offices and emoluments; and besides this, a perverted judicial system by means of which he may nullify all measures adopted by the States which do not please him.

Our condition in these respects is worse to-day than it was in 1798, when Jefferson and Madison aroused the nation with the Kentucky and Virginia resolutions. Federalism, or nationalism, as it is now called, had then run wild, indeed, under John Adams; but not so wild as it has run under Theodore Roosevelt. Many useless offices had been created as means of propagating the faith and perpetuating the power of the Federalist party; but the number was insignificant, and the emoluments still more insignificant, when compared with the 36,000 new offices and \$36,000,000 in new salaries created by the Fifty-eighth and Fifty-ninth Congresses. The alien and sedition laws had been passed by Congress under the whip and spur of the Administration in violation of the Constitution; but those were as nothing compared with the tariff bills, the subsidy bill, the financial bills, and other measures intended to benefit special interests at the expense of the public, which have passed this House in recent years. Nor were the direct usurpations of undelimited powers committed by Adams to be compared with those which the present President has committed.

I have not the time to go into the details of all these matters; but in respect to the judiciary system, as it was treated by the Sixth Congress under Adams and the Seventh under Jefferson, I wish to speak at length, in order to show that Congress has complete authority to destroy, as well as to create, courts inferior to the Supreme Court, and therefore to abolish judicial offices and to deprive those persons who hold them of their salaries.

After Jefferson had been elected in 1800, and before he had taken his seat in 1801, President Adams conceived the design of perpetuating his "policies"—all enemies of the Constitution have "policies"—by creating new Federal courts and filling them with judges who could be depended on to nullify any law passed by the new Congress or by any State legislature which might conflict with his monarchical policies. In his fourth annual message, November 22, 1800, he said:

It is in every point of view of such primary importance to carry the laws into prompt and faithful execution, and to render that part of the administration of justice which the Constitution and laws devolve on the Federal courts as convenient to the people as may consist with their present circumstance, that I can not omit to once more recommend to your serious consideration the judiciary system of the United States.

And having received from a House of Representatives devoted to his service a complacent reply, he added on the 27th of November the following:

I thank you, gentlemen, for your assurance that the various subjects recommended to your consideration shall receive your deliberate attention.

The President was greatly interested in the "improvement" of the judiciary system. He contended that after courts had once been created and judges appointed those courts could not be abolished or those judges removed by Congress.

In pursuance of this theory, the Sixth Congress, the last Federalist Congress, with its expiring gasp, passed "An act for the more convenient organization of the courts of the United States," which was approved by President Adams, February 13, 1801—less than a month before Jefferson was inaugurated. This act created certain new judicial offices and also established certain new courts, called "circuit courts of the United States." In virtue of appointments made by President Adams in pursuance of this act, William Tilghman, Oliver Wolcott, Richard Bassett, Charles Magill, Samuel Hitchcock, Benjamin Bourne, Egbert Benson, Philip B. Key, William Griffith, Jeremiah Smith, and George K. Taylor became judges of said circuit courts, with salaries of \$2,000 a year each. These judges were known as "John Adams's judges," and were extremely objectionable to the Democrats, then called Republicans, of whom Jefferson was the leader. In order to get rid of them, Jefferson, in his first annual message, December 8, 1801, suggested the repeal of the act. His remarks will be found in volume 1 of Richardson's *Presidents' Messages*, p. 331:

The judiciary system of the United States—

Said he—

and especially that portion of it recently enacted, will of course present itself to the contemplation of Congress; and, that they may be able to judge of the proportion which the institution bears to the business it has to perform, I have caused to be procured from the several States, and now lay before Congress, an exact statement of all the causes decided since the first establishment of the courts, and of those which were depending when additional courts were brought in to their aid.

And while on the judiciary organization, it will be worth your consideration whether the protection of the inestimable institution of juries has been extended to all cases involving the security of our persons and property. Their impartial selection also being essential to their value, we ought further to consider whether that is sufficiently secured in those States where they are named by a marshal depending on Executive will, or designated by the courts, or by officers dependent on them.

In the first place, then, Jefferson showed that these Federalist courts were unnecessary and expensive. That was of itself a valid objection to them. But in the second place, he raised a far more serious objection by reference to "the inestimable institution of juries" in all cases involving the security of persons and property. He foresaw, even then, that these Federal courts would, in the very nature of things, resort to government by injunction—to the decision of cases without the intervention of a jury. The Pritchards and Joneses of to-day were not hidden from his prophetic vision. Nor were the abuses of the jury system, even when trial by jury was not dispensed with, overlooked by him. He abhorred the idea that a Federal judge should without a jury try any case whatever involving personal or property rights.

The legislature of North Carolina, on the 17th of December, 1801, instructed the Senators and requested the Representatives from that State to urge the repeal of the act of February 13, 1801. And immediately afterwards a bill to that effect was introduced in the Senate. It was entitled "A bill to repeal certain acts of Congress respecting the organization of the courts of the United States, and for other purposes." When it reached the House it was referred to the Committee of the Whole House and was debated at great length. The discussion of its constitutionality was opened by Henderson and Williams, of North Carolina, on the 6th of February, 1802. (See *Annals of Congress* for that day.) Henderson opened the debate. He deprecated the fact that the legislature of North Carolina had instructed the Senators and requested the Representatives of that State in Congress to vote for the repeal of the act of 1801. He then made several points against the constitutionality of the repealing bill, all of which were taken up by Williams seriatim and fully answered. I regret that I can not conveniently insert this great speech in my remarks on this occasion. Those who wish to examine it will find it reported in the *Annals of Congress* for February 16, 1802, at pages 530-533. I would also call attention to the remarks of Philip R. Thompson, of Virginia, made in reply to Henderson on the following day (*ib.*, p. 547).

There were great debates in both Houses of Congress on this bill repealing the act of 1801, by which the John Adams circuit courts were established; and it was finally passed; thus proving the right of Congress to deprive judges of all judicial power.

At the next session of Congress, on January 27, 1803, the deposed judges presented petitions in which they said:

That, by an act of Congress, passed on the 13th day of February, 1801, entitled "An act for the more convenient organization of the courts of the United States," certain judicial offices were created, and courts established, called circuit courts of the United States; the petitioners became vested with the offices so created, and received commissions, authorizing them to hold the same, with the emoluments thereunto appertaining during their good behavior; that, during the last session, an act of Congress passed, by which the above-mentioned law was declared to be repealed, since which no law has been made for assigning to the petitioners the execution of any judicial function, nor has any provision been made for the payment of their stipulated compensations; that, under these circumstances, and finding it expressly declared in the Constitution of the United States that "the judges both of the Supreme and inferior courts shall hold their offices during good

behavior, and shall, at stated times, receive for their services a compensation, which shall not be diminished during their continuance in office," the petitioners are compelled to represent it as their opinion, that the rights secured to them by the Constitution, as members of the judicial department, have been impaired; that, "with this sincere conviction, and influenced by a sense of public duty, they most respectfully request of Congress to review the existing laws, which respect the offices in question, and to define the duties to be performed by the petitioners, by such provision as shall be consistent with the Constitution and the convenient administration of justice;" that, "the right of the petitioners to their compensations, they sincerely believe to be secured by the Constitution, notwithstanding any modification of the judicial department, which, in the opinion of Congress, public convenience may recommend; this right, however, involving a personal interest, will cheerfully be submitted to judicial examination and decision in such manner as the wisdom and impartiality of Congress may prescribe; that judges should not be deprived of their offices or compensations, without misbehavior, appears, to the petitioners, to be among the first and best established principles of the American Constitution; and, in the various reforms they have undergone, it has been preserved and guarded with increased solicitude; that, on this basis, the Constitution of the United States has laid the foundation of the judicial department, and expressed its meaning in terms equally plain and peremptory;" that, "this being the deliberate and solemn opinion of the petitioners, the duty of their stations requires that they should express it to the legislative body. They regret the necessity which compels them to make the representation; and they confide that it will be attributed to a conviction that they ought not, voluntarily, to surrender rights and authorities intrusted to their protection, not for their personal advantage, but for the benefit of the community."

This matter was debated in Committee of the Whole House on the same day, and the House again decided that Congress had the right to deprive the judges of all judicial powers; and also that it had the right to deprive them of their salaries wherever the office was disestablished. In other words, the House, by a vote of 61 yeas to 37 nays, adopted a resolution declaring:

That the prayer of the petitions of William Tilghman, Oliver Wolcott, Richard Bassett, Charles Magill, Samuel Hitchcock, Benjamin Bourne, Egbert Benson, Philip B. Key, William Griffith, Jeremiah Smith, and George K. Taylor ought not to be granted, and that the petitioners have leave to withdraw their petitions.

(Annals, Seventh Congress, second session, p. 440.)

And on the same day (p. 439) the House by a vote of 57 yeas to 35 yeas rejected a resolution declaring—

That provision ought to be made by law for submitting to judicial decision the right of (the same persons, naming them) late judges of the circuit courts appointed under an act entitled:

"An act for the more convenient organization of the courts of the United States, passed on the 13th day of February, 1801, which said act was repealed at the last session of Congress, to their compensations."

Now, in view of this history, I desire to call attention to a publication of the Department of Justice, issued during the present year, and entitled "A list of United States Judges, Attorneys, and Marshals." This document shows that since his accession to office in 1901 President Roosevelt has appointed Federal judges as follows:

Supreme Court of the United States, three associate judges—one third of the membership of that great tribunal.

Circuit courts of the United States, twelve of the twenty-nine judges, or 41.7 per cent.

District courts of the United States, forty-two of the eighty judges, or 52.5 per cent.

Judging these appointees by the character of Judges Pritchard and Jones, we may assume that some of them, at least, hold the opinions of the appointing authority respecting the necessity of changing the Constitution by judicial construction in order to meet the exigencies of those corporations which contribute most liberally to the corruption fund of the Republican party.

And before his present term expires the President will probably have the opportunity of packing the courts with enough men of the same class to insure the perpetuation of his so-called "policies," by judicial action, unless we act as our predecessors did in 1802, and deprive some of these useless and time-serving judges of some or all of their judicial powers. Disregarding the fact that before March 4, 1909, there is a probability of our having seven Roosevelt judges on the Supreme Court bench, we may by that time have in office for life seventeen of the twenty-nine circuit court judges and forty-seven of the eighty district court judges. If Mr. Roosevelt should be re-elected, as many of our Republican friends anticipate, we should probably have on the bench by 1913, as Roosevelt appointees, twenty of the twenty-nine circuit court judges and fifty-nine of the eighty district court judges. If this should happen the hands of Congress and of every State legislature would surely be tied hard and fast by judicial usurpation. Will the people of the Union submit to this? Will we, as the representatives of the people of the States, submit to it? I think not. I know that it ought not to be submitted to. We have the power to abolish these inferior Federal courts. *Cujus est instituer e jus est abrogare*. Shall we be dominated, abused, insulted, racked, and ruined by our creatures, or shall we put an end to their insolence and their usurpations by following the precedent established in 1802? In principle it is our right to abolish these inferior courts.

As to the question of expediency, it lies wholly within our legislative discretion to continue them under proper restrictions of jurisdiction and powers, or to discontinue them and provide a different system, to be administered by new appointees, whose antecedents prove that they respect the "inestimable institution of juries" and are not disposed to exercise usurped power in order to nullify the laws of the States and the constitutional rights of citizens by means of writs of injunction or prohibition or by punishments inflicted for constructive contempts of court. To this end I favor the complete reorganization of the Federal judiciary, and shall, in all probability, introduce a bill for that purpose, unless the evils of the present system can be remedied by milder means.

The other bill I have reference to is H. R. 16952, which amends the act of 1887 as to removal of causes from the State courts to the United States courts and fixes the sum or value involved in any suit of which the circuit courts of the United States have original cognizance, concurrent with the courts of the several States, at \$20,000 instead of \$2,000 as now provided by said act.

This, too, is a matter of great importance to the citizens of this country. Under the law as it is at present, if a suit between a citizen of South Carolina and a citizen of another State or a foreign corporation involves the sum or value of \$2,000 or more the defendant may remove the same to the circuit court of the United States.

This law appears upon its face to be unfair, unjust, and discriminating in favor of the citizen of another State or a foreign corporation and against the citizen of the State in which the suit was brought, in that it gives to the citizen of another State, and to the foreign corporation, the choice of one of two tribunals in which to try his case, whereas the citizen who sues another citizen of his own State has no choice but to sue in the courts of his own State. These removals cause great complaint and dissatisfaction, especially at this time when foreign corporations are so numerous, doing business as common carriers, express, telephone, and telegraph companies, being incorporated in one State and doing business in a dozen or more States. It works a hardship, especially upon the citizen in moderate circumstances, and often results in a denial of justice to the poor man, the widow, and the orphan, who have not the means to conduct and carry on a lawsuit with a foreign corporation in the United States circuit courts. It may be and often is many miles distant from the home of the plaintiff, owing to the very few courts established in any one State. It is against the policy and principles of our Government and of all civilized nations to place the machinery of the courts of justice beyond the reach of the poorest and humblest citizen who seeks redress for a wrong or remedy for an existing evil. [Applause.]

The act of 1875 fixed the right of the foreign corporation to remove the cause when the amount involved in the suit was \$500 or more. This act was amended in 1887 and the amount of \$2,000 fixed as the limit. Twenty years have elapsed since this amendment, and it has been twenty years of such progress and prosperity as were never known or experienced by any nation or government in the history of the world. We have advanced in wealth and material prosperity by leaps and bounds unknown to any people of any nation or of any age of the world's history, and a suit now involving \$20,000, considering the comparative wealth and prosperity of the country, is no greater and involves relatively no more values than a suit of \$2,000 twenty years ago. If it was wise legislation in 1887 to raise the value limit of removals from \$500 to \$2,000, would it not reflect greater wisdom and more justice and equity to raise the limit of removal in this the year A. D. 1908 to the sum or value of \$20,000? In justice, equity, and good conscience I say that it should be done at once. [Applause.]

For further good and sufficient reasons why this bill should become a law I will state what you all know, what has been shown in the experience of every practicing lawyer in this country, that the Federal courts are held by the people of the country in more awe than the State courts; they are not looked upon with favor or regarded with the same degree of confidence as State courts; they are far removed from the people and frequently are presided over by judges appointed by the President from other and distant States from that in which they preside; they are personally unknown to the people, and I regret to say that the knowledge or information the people have gathered concerning some of these judges is not reassuring and not calculated to inspire confidence, respect, or esteem. [Applause.]

The people value more highly than any other the right of trial by jury. That right is often ruthlessly swept aside by a Federal judge in charging a jury upon the facts or in instructing a verdict. For these and many other reasons the people and litigants generally throughout the rural districts are rest-

less and dissatisfied under the present judicial system of the United States and look upon the Federal courts, as now established, as foreign tribunals, whose presiding officers are not in touch or sympathy with the masses of the people and who are altogether ignorant of the character, habits, and customs of the people over whom they wield judicial authority after the manner of a tyrant of the sixteenth century; under this system equity, justice, and mercy are oftentimes most conspicuous by their absence. [Applause on the Democratic side.]

Mr. OVERSTREET. I move the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. OLMSTED, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 18347 (the Post-office appropriation bill) and had come to no resolution thereon.

ENROLLED BILL SIGNED.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 2872. An act to amend an act to amend section 4 of an act entitled "An act relating to the Metropolitan police of the District of Columbia," approved February 28, 1901.

ADJOURNMENT.

Then, on motion of Mr. OVERSTREET (at 5 o'clock and 6 minutes p. m.), the House adjourned.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Acting Secretary of State, transmitting a copy of a letter from the American minister at Lisbon in relation to the delivery of the resolution of the House of Representatives expressing sorrow and sympathy in view of the assassination of the King and Crown Prince of Portugal—to the Committee on Foreign Affairs and ordered to be printed.

A letter from the Acting Secretary of State, transmitting a copy of a letter from the ambassador of the French Republic acknowledging the receipt by the Government of the Republic of volumes commemorating the erection of the Rochambeau statue—to the Committee on Foreign Affairs and ordered to be printed.

A letter from the Secretary of the Treasury, recommending appropriation for work on the new post-office in New York City—to the Committee on Appropriations and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings by the court in the case of Robert B. Howard, heir of estate of James B. Howard, against The United States—to the Committee on War Claims and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Philip Michael, son of Philip Michael, deceased, against The United States—to the Committee on War Claims and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a letter from the Director of the Mint submitting an estimate of appropriation for repair of mint at San Francisco—to the Committee on Appropriations and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a letter from the president of the Spanish Treaty Claims Commission submitting an estimate of appropriation for expenses of taking testimony abroad—to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. BATES, from the Committee on Naval Affairs, to which was referred the bill of the House (H. R. 18120) to establish a naval station at Pearl Harbor, Hawaii, reported the same without amendment, accompanied by a report (No. 1132), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles, which were thereupon referred as follows:

A bill (H. R. 4760) granting an increase of pension to Wilhemina D. Hebb—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 7831) granting a pension to Charles F. Friedeck—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 11398) granting a pension to Nora R. Willett—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 18411) granting bounty and pay to Richard A. Winningham—Committee on Invalid Pensions discharged, and referred to the Committee on War Claims.

A bill (H. R. 18460) granting an increase of pension to Curtis G. Bagwell—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 18477) granting a pension to William Barnett—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 18478) granting a pension to Emma C. Theinlin—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 17172) for the relief of R. F. Pippin, of Putnam County, Tenn.—Committee on War Claims discharged, and referred to the Committee on Claims.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. PADGETT: A bill (H. R. 18510) authorizing the Secretary of War to have erected at Hohenwald, Tenn., a monument in honor of Meriwether Lewis—to the Committee on the Library.

By Mr. HAMLIN: A bill (H. R. 18511) to provide for the erection of an extension to the Federal building at Springfield, Mo., and to appropriate money for the same—to the Committee on Public Buildings and Grounds.

By Mr. FASSETT: A bill (H. R. 18512) for the erection of a public building at Hornell, N. Y.—to the Committee on Public Buildings and Grounds.

By Mr. SMITH of Michigan: A bill (H. R. 18513) to repeal section 5 of an act entitled "An act relating to the sale of gas in the District of Columbia," approved June 6, 1896—to the Committee on the District of Columbia.

By Mr. PUJO: A bill (H. R. 18514) for the erection of a public building at Crowley, La.—to the Committee on Public Buildings and Grounds.

By Mr. DAVENPORT: A bill (H. R. 18515) to provide for the terms and places of holding the courts of the United States in the eastern district of Oklahoma, and for other purposes—to the Committee on the Judiciary.

By Mr. SMITH of Missouri: A bill (H. R. 18516) relating to conspiracies in cases that now or hereafter may arise within the jurisdiction of the laws of the courts of the United States—to the Committee on the Judiciary.

By Mr. HARRISON: A bill (H. R. 18517) making the 12th day of October in each year a legal holiday—to the Committee on the Judiciary.

By Mr. FLOOD: A bill (H. R. 18518) providing for the erection of a public building in the town of Covington, Va.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 18519) to authorize the Secretary of War to furnish two condemned cannon and cannon balls to the Confederate Monument Association at Appomattox, Va.—to the Committee on Military Affairs.

By Mr. BARCHFELD: A bill (H. R. 18520) to amend the internal-revenue laws—to the Committee on Ways and Means.

By Mr. BROUSSARD: A bill (H. R. 18521) to provide for a preliminary survey and examination of Bayou Queve de Tortue, Louisiana—to the Committee on Rivers and Harbors.

By Mr. HAMILTON of Michigan: A bill (H. R. 18522) to protect national banking associations from libel and slander—to the Committee on Banking and Currency.

By Mr. BRADLEY: A bill (H. R. 18523) to create in the War Department a roll to be known as the "Volunteer retired list," to authorize placing thereon with retired pay certain surviving officers who served in the Volunteer or Regular Army, Navy, or Marine Corps of the United States in the war of the rebellion, and who are not now on the retired list of the Regular Army or Navy, and for other purposes—to the Committee on Military Affairs.

By Mr. GREENE: A bill (H. R. 18524) to provide for the survey for a ship canal from Fall River Harbor to Weymouth, Fore River, Boston Harbor, Massachusetts—to the Committee on Rivers and Harbors.

By Mr. HEPBURN: A bill (H. R. 18525) relating to the public revenue—to the Committee on Ways and Means.

By Mr. CRUMPACKER: A bill (H. R. 18606) fixing the rate of mileage for Senators, Representatives, and Delegates in Congress—to the Committee on the Judiciary.

By Mr. HARDING: A bill (H. R. 18607) to amend an act granting pensions to certain enlisted men, soldiers, and officers who served in the civil war and the war with Mexico—to the Committee on Invalid Pensions.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ALEXANDER of Missouri: A bill (H. R. 18526) granting an increase of pension to John Burkett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 18527) granting an increase of pension to Jacob Clute—to the Committee on Invalid Pensions.

By Mr. ANSBERRY: A bill (H. R. 18528) granting a pension to Robert L. McCullough—to the Committee on Pensions.

Also, a bill (H. R. 18529) granting an increase of pension to Milton E. McClure—to the Committee on Invalid Pensions.

By Mr. ASHBROOK: A bill (H. R. 18530) granting an increase of pension to Hattie R. Schott—to the Committee on Invalid Pensions.

By Mr. BARCHFELD: A bill (H. R. 18531) for the refunding of money illegally collected by the United States Treasury Department as excise taxes from the Fort Pitt Gas Company, Pittsburgh, Pa.—to the Committee on Claims.

By Mr. BATES: A bill (H. R. 18532) granting a pension to Lafayette Jaques—to the Committee on Invalid Pensions.

Also, a bill (H. R. 18533) granting a pension to Adam Bible—to the Committee on Pensions.

By Mr. BROUSSARD: A bill (H. R. 18534) for the relief of the heirs of Joseph Piernas, deceased—to the Committee on Private Land Claims.

By Mr. CANNON: A bill (H. R. 18535) granting an increase of Pension to Daniel Hull—to the Committee on Invalid Pensions.

By Mr. CARLIN: A bill (H. R. 18536) granting an increase of pension to Isaac C. France—to the Committee on Invalid Pensions.

By Mr. CHANEY: A bill (H. R. 18537) granting an increase of pension to Robert Atkinson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 18538) granting an increase of pension to Allen Conner—to the Committee on Invalid Pensions.

By Mr. DAVIS of Minnesota: A bill (H. R. 18539) granting a pension to Martha R. O. Oleson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 18540) granting a pension to Martin J. Frey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 18541) granting an increase of pension to Jonas P. Davis—to the Committee on Invalid Pensions.

By Mr. DWIGHT: A bill (H. R. 18542) granting an increase of pension to Johnathan H. Sykes—to the Committee on Invalid Pensions.

By Mr. FAIRCHILD: A bill (H. R. 18543) granting an increase of pension to Orra M. Dimcan—to the Committee on Invalid Pensions.

By Mr. FASSETT: A bill (H. R. 18544) granting a pension to Daniel Updike—to the Committee on Invalid Pensions.

By Mr. FLOYD: A bill (H. R. 18545) granting an increase of pension to Lewis A. Edwards—to the Committee on Invalid Pensions.

Also, a bill (H. R. 18546) granting an increase of pension to John Anderson—to the Committee on Invalid Pensions.

By Mr. FOCHT: A bill (H. R. 18547) granting an increase of pension to I. H. Condon—to the Committee on Invalid Pensions.

By Mr. FOSTER of Illinois: A bill (H. R. 18548) granting an increase of pension to Benjamin V. Carey—to the Committee on Invalid Pensions.

By Mr. FOSTER of Indiana: A bill (H. R. 18549) granting an increase of pension to Simon Stroud—to the Committee on Invalid Pensions.

Also, a bill (H. R. 18550) granting an increase of pension to George W. Mills—to the Committee on Invalid Pensions.

Also, a bill (H. R. 18551) granting an increase of pension to Jacob Snyder—to the Committee on Invalid Pensions.

Also, a bill (H. R. 18552) granting an increase of pension to Joshua S. Sisson—to the Committee on Invalid Pensions.

By Mr. GILLESPIE: A bill (H. R. 18553) for the relief of Walter Barbee—to the Committee on Claims.

Also, a bill (H. R. 18554) for the relief of Tennessee J. Spiller—to the Committee on Claims.

Also, a bill (H. R. 18555) for the relief of William F. McGee—to the Committee on Claims.

Also, a bill (H. R. 18556) for the relief of Thomas H. Holcomb—to the Committee on Claims.

Also, a bill (H. R. 18557) for the relief of Seletha J. Powers, widow, and the heirs of John Powers, deceased—to the Committee on Claims.

Also, a bill (H. R. 18558) for the relief of Thomas C. Capell—to the Committee on Claims.

Also, a bill (H. R. 18559) for the relief of the heirs of M. O. Coker, deceased—to the Committee on Claims.

By Mr. HACKETT: A bill (H. R. 18560) granting a pension to Shadrach F. Brown—to the Committee on Invalid Pensions.

By Mr. HAMILTON of Michigan: A bill (H. R. 18561) for the relief of the widow of Harrison S. Weeks—to the Committee on War Claims.

By Mr. HARDING: A bill (H. R. 18562) granting a pension to Richard Murphy—to the Committee on Pensions.

By Mr. HULL of Tennessee: A bill (H. R. 18563) providing for payment to Putnam County, in the State of Tennessee, for the occupation and incidental destruction of its court-house during the late war between the States—to the Committee on War Claims.

Also, a bill (H. R. 18564) for the relief of the estate of John W. Spradlin, deceased—to the Committee on War Claims.

By Mr. ADDISON D. JAMES: A bill (H. R. 18565) granting an increase of pension to James W. Grubb—to the Committee on Invalid Pensions.

By Mr. KAHN: A bill (H. R. 18566) to provide an American register for the barkentine *Andromeda*—to the Committee on the Merchant Marine and Fisheries.

By Mr. KINKAID: A bill (H. R. 18567) granting an increase of pension to Joseph Posey—to the Committee on Pensions.

By Mr. KIPP: A bill (H. R. 18568) granting an increase of pension to Morris McClenn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 18569) granting an increase of pension to Henry Bentley—to the Committee on Invalid Pensions.

By Mr. LANGLEY: A bill (H. R. 18570) granting an increase of pension to Spencer Cooper—to the Committee on Invalid Pensions.

Also, a bill (H. R. 18571) granting an increase of pension to John P. Mead—to the Committee on Invalid Pensions.

Also, a bill (H. R. 18572) granting a pension to William Lee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 18573) to correct the military record of Martin Lunsford—to the Committee on Military Affairs.

By Mr. LANING: A bill (H. R. 18574) granting an increase of pension to Charles C. Early—to the Committee on Invalid Pensions.

Also, a bill (H. R. 18575) granting an increase of pension to Payton Shields—to the Committee on Invalid Pensions.

By Mr. LEE: A bill (H. R. 18576) for the relief of James W. Andrews—to the Committee on Military Affairs.

By Mr. LINDBERGH: A bill (H. R. 18577) granting an increase of pension to Jason L. Newell—to the Committee on Invalid Pensions.

By Mr. McLACHLAN of California: A bill (H. R. 18578) for the relief of Carlos Manjarrez—to the Committee on War Claims.

Also, a bill (H. R. 18579) for the relief of Ella Phillips, widow, and the heirs of David Phillips, deceased—to the Committee on War Claims.

Also, a bill (H. R. 18580) for the relief of the heirs of John Pace, deceased—to the Committee on War Claims.

Also, a bill (H. R. 18581) authorizing the appointment of Maj. James H. Spencer to the rank of colonel—to the Committee on Military Affairs.

By Mr. O'CONNELL: A bill (H. R. 18582) for the relief of Joseph Manning—to the Committee on Claims.

By Mr. PARKER of South Dakota: A bill (H. R. 18583) granting an increase of pension to Joseph Shanbarker—to the Committee on Invalid Pensions.

By Mr. RANDELL of Louisiana: A bill (H. R. 18584) for the relief of the heirs of the estates of Jacob E. and Martha Keller, deceased—to the Committee on War Claims.

By Mr. REEDER: A bill (H. R. 18585) granting an increase of pension to Charles W. Harford—to the Committee on Invalid Pensions.

By Mr. RHINOCK: A bill (H. R. 18586) for the relief of John Armstrong, jr.—to the Committee on War Claims.

By Mr. SPARKMAN: A bill (H. R. 18587) for the relief of James W. Fitzgerald—to the Committee on War Claims.

Also, a bill (H. R. 18588) for the relief of Robert B. Watson—to the Committee on War Claims.

Also, a bill (H. R. 18589) for the relief of Jacob H. Mays—to the Committee on War Claims.

Also, a bill (H. R. 18590) for the relief of the heirs of Elias E. Blackburn, late marshal of the northern district of Florida—to the Committee on War Claims.

By Mr. STEPHENS of Texas: A bill (H. R. 18591) for the relief of the administrator and heirs of John G. Campbell, to permit prosecution of Indian depredation claims—to the Committee on Indian Affairs.

By Mr. THISTLEWOOD: A bill (H. R. 18592) granting an increase of pension to Alford A. Fulford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 18593) granting an increase of pension to John W. Clem—to the Committee on Invalid Pensions.

Also, a bill (H. R. 18594) granting an increase of pension to John McGuire—to the Committee on Invalid Pensions.

Also, a bill (H. R. 18595) granting a pension to Walter M. Corn—to the Committee on Invalid Pensions.

By Mr. WEISSE: A bill (H. R. 18596) granting an increase of pension to Frederick Schneider—to the Committee on Invalid Pensions.

By Mr. BARTLETT of Georgia: A bill (H. R. 18597) for the relief of P. A. Wingate—to the Committee on War Claims.

By Mr. HULL of Iowa: A bill (H. R. 18598) granting an increase of pension to George Camp—to the Committee on Pensions.

By Mr. HUMPHREYS of Mississippi: A bill (H. R. 18599) granting an increase of pension to John Byron—to the Committee on Invalid Pensions.

By Mr. JONES of Washington: A bill (H. R. 18600) for the relief of John M. Hill—to the Committee on Claims.

Also, a bill (H. R. 18601) for the relief of Elmore A. McKenna, late captain, United States Volunteer Signal Corps—to the Committee on Military Affairs.

By Mr. LIVINGSTON: A bill (H. R. 18602) granting an increase of pension to Kate S. West—to the Committee on Invalid Pensions.

By Mr. PAYNE: A bill (H. R. 18603) granting an increase of pension to Francis N. Thompson—to the Committee on Invalid Pensions.

By Mr. SMITH of California: A bill (H. R. 18604) granting a pension to Elizabeth Ann Hinman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 18605) granting an increase of pension to Thomas Radford—to the Committee on Invalid Pensions.

By Mr. OLCOTT: Joint resolution (H. J. Res. 147) for the relief of the heirs of George B. Simpson—to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ANDRUS: Petition of Local No. 1, International Stereotypers and Electrotypers Union, of New York, for removal of duty on white paper and wood pulp—to the Committee on Ways and Means.

By Mr. ANSBERRY: Petitions of Toledo and Cleveland Associations of Credit Men, for H. R. 13266 (bankruptcy act)—to the Committee on the Judiciary.

By Mr. ASHBROOK: Papers to accompany bills for relief of Elijah Jennings, Hattie R. Schott, and John P. Swigert—to the Committee on Invalid Pensions.

By Mr. BARTLETT of Georgia: Petition of International Typographical Union of Macon, Ga., for removal of duty on white paper and wood pulp—to the Committee on Ways and Means.

Also, paper to accompany bill for relief of P. A. Wingate—to the Committee on War Claims.

By Mr. BATES: Petition of Bail T. Graham, of Conneautville, Pa., against a parcels-post law—to the Committee on the Post-Office and Post-Roads.

Also, petition of T. N. Geist, against the Penrose amendment to the postal laws (known as S. 1518)—to the Committee on the Post-Office and Post-Roads.

Also, paper to accompany bill for relief of Adam Bible—to the Committee on Invalid Pensions.

Also, petition of Army and Navy Union of Titusville, Pa., for increase and equalization of pay of Army, Navy, and Revenue-Cutter Service—to the Committee on Military Affairs.

Also, paper to accompany bill for relief of L. W. Jaques—to the Committee on Invalid Pensions.

By Mr. BELL of Georgia: Petition of J. H. Callier and

others; Wholesale and Retail Hardware Joint Committee, of Richmond, Va.; W. R. Bragdon and others, of Buford, Ga.; and C. J. Bolton, of Norcross, Ga., for a parcels-post law—to the Committee on the Post-Office and Post-Roads.

By Mr. BENNET of New York: Petition of Joseph Revans and others, of New York City, against religious legislation in the District of Columbia—to the Committee on the District of Columbia.

By Mr. BOOHER: Paper to accompany bill for relief of Nora R. Willett (previously referred to Committee on Invalid Pensions)—to the Committee on Pensions.

By Mr. BURKE: Petition of Thomas J. Stewart, of Pennsylvania, for appropriation of \$1,000,000 for annual militia maneuvers—to the Committee on Militia.

Also, petition of R. W. Johnson, against clause in copyright bill inimical to photographers—to the Committee on Patents.

Also, petitions of J. H. Redpath, John A. Roberts, Mrs. L. M. T. Redpath, C. W. Redpath, and M. Barr, against sale of intoxicants on all property owned by the United States—to the Committee on Alcoholic Liquor Traffic.

Also, petition of Brotherhood of Locomotive Firemen and Enginemen, favoring the La Follette liability bill (S. 5307), etc.—to the Committee on the Judiciary.

Also, paper to accompany bill for relief of George W. Given—to the Committee on Invalid Pensions.

By Mr. CALDER: Petition of New York Advertising League, favoring the Coudrey bill (H. R. 14387) relative to fraudulent and misleading advertising—to the Committee on the District of Columbia.

Also, papers to accompany bills for relief of Henrietta V. Miller and Samuel S. Conklin—to the Committee on Invalid Pensions.

Also, petition of Lumber Trade Journal of New York, for forest reservations in White Mountains and southern Appalachian Mountains (Currier bill)—to the Committee on Agriculture.

Also, petition of Savannah Pilots' Association, American Association of Masters, Mates, and Pilots, against the Littlefield pilotage bill (H. R. 4771)—to the Committee on the Merchant Marine and Fisheries.

By Mr. CALDERHEAD: Petition of Over Clothing Company, of Salina, Kans., against any extension of present parcels-post laws, etc.—to the Committee on the Post-Office and Post-Roads.

Also, petition of C. A. Mather and A. E. Coleman, of Manhattan, Kans., for the Littlefield original-package bill and the Hill bill—to the Committee on the Judiciary.

Also, petition of Southwestern Lumbermen's Association, against giving out names of patrons of post-offices, etc., and against a parcels-post law—to the Committee on the Post-Office and Post-Roads.

Also, petition of Southwestern Lumbermen's Association, against change of rates by railways without permission of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

Also, petition of citizens of Axtell, Kans., against a parcels-post law—to the Committee on the Post-Office and Post-Roads.

By Mr. CHANEY: Petition of C. A. Manden and others, for a parcels-post law—to the Committee on the Post-Office and Post-Roads.

Also, petition of citizens of Linton, Ind., against religious legislation in the District of Columbia—to the Committee on the District of Columbia.

Also, petition of citizens of Linton, Ind., for H. R. 40, to prohibit sale of intoxicants in the District of Columbia—to the Committee on the District of Columbia.

Also, paper to accompany bill for relief of Allen Conner—to the Committee on Invalid Pensions.

By Mr. DALZELL: Petition of Woman's Christian Temperance Union, of East End, Pittsburg, in favor of the Tirrell bill—to the Committee on Alcoholic Liquor Traffic.

Also, petition of sundry citizens of Thirtieth Congressional District, for legislation against liquor traffic—to the Committee on Alcoholic Liquor Traffic.

By Mr. DAWSON: Petition of Lumber Dealers' Association, of Connecticut, for forest reservation in White Mountains and southern Appalachian Mountains—to the Committee on Agriculture.

Also, petition of Farmers' Institute of Iowa, for the Culberson bill, empowering Interstate Commerce Commission to regulate speed of all stock trains on interstate railways—to the Committee on Interstate and Foreign Commerce.

Also, petition of Farmers' Institute of Iowa County, Iowa, for abolishing the free-seed distribution—to the Committee on Agriculture.

By Mr. DE ARMOND: Petition of voters of Cedar County, Mo., for the Sherwood pension bill—to the Committee on Invalid Pensions.

By Mr. ESCH: Petition of Milwaukee Clearing House Association, against H. R. 7546, 14641, and kindred bills relative to dealings in futures, unlawfulness of national banks to receive deposits from such dealings, etc.—to the Committee on Banking and Currency.

By Mr. FOSTER of Indiana: Petition of citizens of Chrisney, Ind., against a parcels-post law—to the Committee on the Post-Office and Post-Roads.

By Mr. FULLER: Memorial of the Illinois legislature, for the Hamilton bill, granting pensions to ex-prisoners of war—to the Committee on Invalid Pensions.

Also, petition of Wholesale and Retail Hardware Joint Committee, against a parcels-post law—to the Committee on the Post-Office and Post-Roads.

Also, petition of Illinois State Undertakers' Association, against the custom of burial at sea—to the Committee on the Judiciary.

By Mr. GOLDFOGLE: Petition of National German-American Alliance, for restoration of Army canteen—to the Committee on Military Affairs.

Also, petition of Merchants' Association of New York, against Aldrich currency bill—to the Committee on Banking and Currency.

Also, petition of New York Board of Trade and Transportation, against S. 42 and H. R. 6089—to the Committee on Interstate and Foreign Commerce.

By Mr. GOULDEN: Petition of National Guard Association of New York, for appropriation for national maneuvers of militia—to the Committee on Militia.

Also, petition of Savannah Pilots' Association, against H. R. 4771 (Littlefield bill)—to the Committee on the Merchant Marine and Fisheries.

By Mr. GRANGER: Petition of town council of Narragansett Pier, R. I., for H. R. 6169, to promote efficiency of Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

By Mr. GRAHAM: Petition of William T. Adair, against sale of intoxicants on Government property—to the Committee on Alcoholic Liquor Traffic.

Also, petition of W. A. Way, for Federal registration of automobiles—to the Committee on Interstate and Foreign Commerce.

Also, petition of Thomas J. Stewart, for \$1,000,000 appropriation for militia maneuvers—to the Committee on Militia.

Also, petition of American Association of Masters, Mates, and Pilots, against Littlefield pilotage bill—to the Committee on the Merchant Marine and Fisheries.

By Mr. HARRISON: Petition of Local Union No. 1, International Stereotypers and Electrotypers, of New York City, for removal of duty on white paper and wood pulp—to the Committee on Ways and Means.

By Mr. HAWLEY: Paper to accompany bill for relief of Daniel R. Cone (previously referred to the Committee on Invalid Pensions)—to the Committee on Pensions.

By Mr. HOLLIDAY: Petition of District of Columbia Society of Sons of American Revolution, for the name of Lafayette avenue for Sixteenth street NW., in the city of Washington—to the Committee on the District of Columbia.

By Mr. HOWELL of Utah: Papers to accompany bill in support of an appropriation for improvement of navigation of Green River, Utah—to the Committee on Rivers and Harbors.

Also, petition of Utah Association of Credit Men, for H. R. 13266, amending national bankruptcy act—to the Committee on the Judiciary.

Also, petition of Cigar Makers' Union of Ogden, Utah, for battle-ship construction in navy yards—to the Committee on Naval Affairs.

By Mr. LAW: Petition of Grand Army of the Republic of Kings County, Department of New York, against consolidation of pension agencies—to the Committee on Appropriations.

By Mr. LINDSAY: Petition of International Stereotypers and Electrotypers' Union No. 1, of New York, for removal of duty on white paper and pulp, etc.—to the Committee on Ways and Means.

Also, petition of National Guard Association of New York State, for S. 4316 and H. R. 14783 (improvements of the militia)—to the Committee on Militia.

Also, petitions of Charlotte Hardware Company and Francis N. Johnston, for forest reservations in White Mountains and southern Appalachian Mountains—to the Committee on Agriculture.

Also, petition of Manufacturers' Association of New York, for H. R. 31 and 225, etc.—to the Committee on Interstate and Foreign Commerce.

Also, petition of New York Advertising League, for H. R. 14387, against fraudulent advertising—to the Committee on the District of Columbia.

By Mr. KAHN: Petition of California State Federation of Labor, against naturalization of Asiatics or their admission into the United States—to the Committee on Immigration and Naturalization.

Also, petition of Golden Gate Harbor, No. 4, American Association of Masters, Mates, and Pilots, of San Francisco, Cal., for H. R. 14941—to the Committee on the Merchant Marine and Fisheries.

Also, petition of Gas Workers of San Francisco, No. 9840, favoring battle-ship building in navy-yards—to the Committee on Naval Affairs.

Also, petition of Commandery of California, Military Order of Loyal Legion of the United States, for a volunteer officers' retired list—to the Committee on Military Affairs.

Also, petition of Petrero Commercial and Manufacturers' Association of San Francisco, Cal., for improvement of the Presidio Military Reservation at San Francisco, Cal.—to the Committee on Military Affairs.

Also, petition of California State Federation of Labor, in favor of a postal savings bank—to the Committee on the Post-Office and Post-Roads.

Also, paper to accompany bill for relief of Frances S. Comba—to the Committee on Pensions.

By Mr. KELIHER: Petition of general assembly of Commercial Telegraphers' Union, for investigation of telegraph conditions in the United States—to the Committee on Interstate and Foreign Commerce.

Also, petition of Boston Credit Men's Association, for amendment to bankruptcy law—to the Committee on the Judiciary.

Also, petition of Boston Merchants' Association, against repeal of bankruptcy act—to the Committee on the Judiciary.

Also, petition of Lumber Dealers' Association of Connecticut, for forest reservations in White Mountains and southern Appalachian Mountains—to the Committee on Agriculture.

Also, petition of clergymen of New York, against increase of Navy budget—to the Committee on Naval Affairs.

Also, petition of Massachusetts Institute of Technology, Society of Arts, for forest reservations in the White Mountains and southern Appalachian Mountains—to the Committee on Agriculture.

Also, petition of American Society of Wireless Engineers of Boston, for legislation to stop needless interference in receiving of official wireless messages—to the Committee on Naval Affairs.

Also petitions of congregation of Keneseth Israel, of Boston; S. Goldman, of Boston, and Bay State Lodge, No. 215, O. B. A., against educational test, etc., for immigrants—to the Committee on Immigration and Naturalization.

Also, petition of the National German-American Alliance, for restoration of the Army canteen—to the Committee on Military Affairs.

Also, petition of National Board of Trade of Boston, favoring extension of the credit system of all branches of consular service, for school of diplomacy and advance in salaries of consuls—to the Committee on Foreign Affairs.

Also, petition of Boston Architectural Club, indorsing plan for development of the capital—to the Committee on Public Buildings and Grounds.

By Mr. KÜSTERMANN: Petitions of Polish citizens of Krakow and Green Bay, Wis., against expropriation bill of the Prussian Diet—to the Committee on Foreign Affairs.

By Mr. NEEDHAM: Petition of American Association of Masters, Mates, and Pilots, against the Littlefield bill (H. R. 4771)—to the Committee on the Merchant Marine and Fisheries.

Also, petition of California State Federation of Labor, for a postal savings-bank law—to the Committee on the Post-Office and Post-Roads.

Also, petition of California State Federation of Labor, against all Asiatic laborers—to the Committee on Immigration and Naturalization.

Also, petition of California State Federation of Labor, against enlisted musicians competing with civilian musicians—to the Committee on Labor.

Also, petition of California State Federation of Labor, for laws to protect employees in clear line of duty in Government service in the United States as well as to the Filipino employees—to the Committee on the Judiciary.

Also, petition of California Harbor, No. 15, American Association of Masters, Mates, and Pilots, favoring H. R. 15657—to the Committee on the Merchant Marine and Fisheries.

Also, petition of citizens of California, for a parcels-post law—to the Committee on the Post-Office and Post-Roads.

By Mr. OLCOTT: Petition of Board of Trade and citizens of New York, and business men of New York City, for battle-ship building in navy-yards—to the Committee on Naval Affairs.

By Mr. OVERSTREET: Petition of Woman's Home Missionary Society of Edwin Ray Methodist Episcopal Church, of Indianapolis, Ind., for the Littlefield original-package bill—to the Committee on the Judiciary.

By Mr. PETERS: Petition of Boston Credit Men's Association, favoring the bankruptcy act—to the Committee on the Judiciary.

Also, petition of business men of Boston, against increase of Navy—to the Committee on Naval Affairs.

By Mr. REEDER: Petition of twentieth annual convention of Southwestern Lumbermen's Association, against postmasters furnishing lists of names of patrons of their offices, etc.—to the Committee on the Post-Office and Post-Roads.

By Mr. REYNOLDS: Paper to accompany bill for relief of John D. Landis—to the Committee on Invalid Pensions.

Also, petition of A. D. Hershberger and others, for S. 3152 (additional protection to dairy interests)—to the Committee on Agriculture.

By Mr. SULZER: Petition of Dr. J. W. M. Dixon, for the Littlefield original-package and Crumpacker bills—to the Committee on the Judiciary.

Also, petition of O. H. Beck and others, for forest reservations in White Mountains and southern Appalachian Mountains—to the Committee on Agriculture.

Also, petition of New York Advertising League, for H. R. 14387 (Coudrey bill), against misleading advertising—to the Committee on the District of Columbia.

By Mr. TOWNSEND: Petition of Safford Post, No. 330, and Rowley Post, Grand Army of the Republic, of Clayton, Mich., for Sherwood bill—to the Committee on Invalid Pensions.

By Mr. WEEMS: Petition of J. D. Mills and others, for a national highway commission—to the Committee on Agriculture.

Also, petition of Jefferson County Trades and Labor Assembly and Toronto (Ohio) Trades and Labor Assembly, for battle-ship building in navy-yards—to the Committee on Naval Affairs.

SENATE.

TUESDAY, March 3, 1908.

Prayer by the Chaplain, Rev. EDWARD E. HALE.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. KEAN, and by unanimous consent, the further reading was dispensed with.

The VICE-PRESIDENT. The Journal stands approved.

FINDINGS OF THE COURT OF CLAIMS.

The VICE-PRESIDENT laid before the Senate communications from the assistant clerk of the Court of Claims, transmitting certified copies of the findings of fact filed by the court in the following causes:

In the cause of Louis A. Cornthwaite v. United States;

In the cause of Lila J. Baldwin, widow of William S. Baldwin, deceased, v. United States;

In the cause of the Trustees of the Methodist Episcopal Church South, of Rectortown, Va., v. United States;

In the cause of the New Hope Baptist Church, of Orange County, Va., v. United States;

In the cause of J. B. Hubbard, administrator of David L. Hubbard, deceased, v. United States;

In the cause of the Trustees of the Trinity Protestant Episcopal Church, of Martinsburg, W. Va., v. United States;

In the cause of John Crosby Brown, executor of James Brown, deceased, v. United States; and

In the cause of Velma C. Williams, administratrix d. b. n. of Paul Curtis, deceased, v. United States.

The foregoing findings were, with the accompanying papers, referred to the Committee on Claims and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills:

S. 302. An act to confirm homestead entry made by guardian for the benefit of Dorothea Clendenin and Paul Dana Clendenin, minor orphan children of Paul Clendenin, late surgeon major, United States Volunteers;

S. 406. An act granting a pension to Galesta Clark;

S. 712. An act granting a pension to Agnes Lange Smith;

S. 720. An act to confirm an entry made by Gertrude Halver-son Aaby, widow of Sigbjorn H. Aaby;

S. 1666. An act for the relief of Stene Engeberg;

S. 1746. An act granting a pension to Elmer Honnyman;

S. 1774. An act to permit Dollie A. Fountain, of Walworth County, S. Dak., to purchase certain lands; and

S. 4740. An act granting pensions and increase of pensions to certain soldiers and sailors of the civil war and certain widows of such soldiers and sailors.

The message also announced that the House had passed the following bills with amendments, in which it requested the concurrence of the Senate:

S. 4376. An act granting pensions and increase of pensions to certain soldiers and sailors of the civil war and certain widows of such soldiers and sailors;

S. 5110. An act granting pensions and increase of pensions to certain soldiers and sailors of the civil war and certain widows and dependent children of such soldiers and sailors; and

S. 5255. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the civil war, and to widows and dependent relatives of such soldiers and sailors.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 1378. An act granting a pension to Andrew Goddard;

H. R. 1399. An act granting a pension to William R. Phillips;

H. R. 1549. An act granting a pension to Lela L. Ellis;

H. R. 1589. An act granting an increase of pension to Susan M. Yeoman;

H. R. 2932. An act granting a pension to Roy L. Jones;

H. R. 3012. An act granting an increase of pension to James Jeffers;

H. R. 4121. An act granting an increase of pension to James B. Smith;

H. R. 4123. An act granting an increase of pension to Graham Maffett;

H. R. 4173. An act granting a pension to Harris Alvin Conrad;

H. R. 4327. An act granting an increase of pension to Jorge Benavides Anderson;

H. R. 4337. An act granting an increase of pension to Francis H. Swift;

H. R. 4413. An act granting an increase of pension to Alexander Beckwith;

H. R. 4974. An act granting an increase of pension to John O. Evans;

H. R. 4979. An act granting an increase of pension to Julius M. Dutton;

H. R. 5138. An act granting a pension to David McGinnis;

H. R. 5298. An act granting an increase of pension to Kirk Brown;

H. R. 6407. An act granting an increase of pension to John H. Arnold;

H. R. 6529. An act granting a pension to Thomas Carten,

alias Carton;

H. R. 6654. An act granting an increase of pension to Ed-

ward Marden;

H. R. 7169. An act granting an increase of pension to Jen-

nie H. Thomas;

H. R. 7220. An act granting an increase of pension to Lang-

don Sherriff;

H. R. 7388. An act granting an increase of pension to De

Witt Nash;

H. R. 7440. An act granting an increase of pension to Oliver

Jones;

H. R. 7745. An act granting an increase of pension to Wil-

liam Sheppard;

H. R. 7746. An act granting an increase of pension to Wil-

liam D. Williams;

H. R. 7938. An act granting an increase of pension to James

B. Wilson;

H. R. 7939. An act granting an increase of pension to Hulda

L. Barber;

H. R. 8333. An act granting an increase of pension to George

Jenkins;

H. R. 8628. An act granting an increase of pension to John

Gibson;

H. R. 8743. An act granting an increase of pension to Charles

Titterington;

H. R. 9621. An act granting a pension to John Hearn;

H. R. 10158. An act granting an increase of pension to John

F. Lane;